



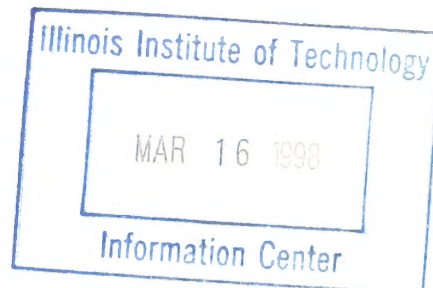
1998

Illinois Register

Rules of Governmental Agencies

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INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 1998

Material Rec'd before Noon on:	Will be in Issue #:	Published on:	Material Rec'd before Noon on:	Will be in Issue #:	Published on:
Dec. 23, 1997	1	Jan. 2, 1998	June 30, 1998	28	July 10, 1998
Dec. 31, 1997	2	Jan. 9, 1998	July 7, 1998	29	July 17, 1998
Jan. 6, 1998	3	Jan. 16, 1998	July 14, 1998	30	July 24, 1998
Jan. 13, 1998	4	Jan. 23, 1998	July 21, 1998	31	July 31, 1998
Jan. 20, 1998	5	Jan. 30, 1998	July 28, 1998	32	Aug. 7, 1998
Jan. 27, 1998	6	Feb. 6, 1998	Aug. 4, 1998	33	Aug. 14, 1998
Feb. 3, 1998	7	Feb. 13, 1998	Aug. 11, 1998	34	Aug. 21, 1998
Feb. 10, 1998	8	Feb. 20, 1998	Aug. 18, 1998	35	Aug. 28, 1998
Feb. 17, 1998	9	Feb. 27, 1998	Aug. 25, 1998	36	Sept. 4, 1998
Feb. 24, 1998	10	Mar. 6, 1998	Sept. 1, 1998	37	Sept. 11, 1998
Mar. 3, 1998	11	Mar. 13, 1998	Sept. 8, 1998	38	Sept. 18, 1998
Mar. 10, 1998	12	Mar. 20, 1998	Sept. 15, 1998	39	Sept. 25, 1998
Mar. 17, 1998	13	Mar. 27, 1998	Sept. 22, 1998	40	Oct. 2, 1998
Mar. 24, 1998	14	Apr. 3, 1998	Sept. 29, 1998	41	Oct. 9, 1998
Mar. 31, 1998	15	Apr. 10, 1998	Oct. 6, 1998	42	Oct. 16, 1998
Apr. 7, 1998	16	Apr. 17, 1998	Oct. 13, 1998	43	Oct. 23, 1998
Apr. 14, 1998	17	Apr. 24, 1998	Oct. 20, 1998	44	Oct. 30, 1998
Apr. 21, 1998	18	May 1, 1998	Oct. 27, 1998	45	Nov. 6, 1998
Apr. 28, 1998	19	May 8, 1998	Nov. 3, 1998*	46	Nov. 13, 1998
May 5, 1998	20	May 15, 1998	Nov. 10, 1998	47	Nov. 20, 1998
May 12, 1998	21	May 22, 1998	Nov. 17, 1998	48	Nov. 30, 1998*
May 19, 1998	22	May 29, 1998	Nov. 24, 1998	49	Dec. 4, 1998
May 26, 1998	23	June 5, 1998	Dec. 1, 1998	50	Dec. 11, 1998
June 2, 1998	24	June 12, 1998	Dec. 8, 1998	51	Dec. 18, 1998
June 9, 1998	25	June 19, 1998	Dec. 15, 1998	52	Dec. 28, 1998*
June 16, 1998	26	June 26, 1998	Dec. 22, 1998	1	Jan. 4, 1999*
June 23, 1998	27	July 6, 1998*	Dec. 29, 1998	2	Jan. 8, 1999

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

* Monday

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Standards for Award of Grants: Elementary and Secondary Schools Capital Assistance Program
- 2) Code Citation: 71 Ill. Adm. Code 40
- 3) Section Numbers: Proposed Action:
 40.100 New
 40.110 Amended
 40.120 Repealed
 40.130 Amended
 40.140 Repealed
- 4) Statutory Authority: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act, and the School Construction Law [105 ILCS 230].
- 5) A Complete Description of the Subjects and Issues Involved: The School Construction Law takes the place of CDB's prior Capital Assistance Program (CAPS) for schools, so the CAPS rules are being updated to reflect different requirements of the School Construction Law and current accepted industry and government standards for various types of school construction.
- 6) Will this proposed rule replace an emergency rule current in effect? Yes.
Emergency rule at 22 Ill. Reg. 2597.
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporation by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: From the date that this notice first appears in the *Illinois Register*, for a period of 45 days thereafter, interested persons may submit comments, in writing, to:
 Claire Gibson, Deputy Chief Counsel
 Capital Development Board
 3rd Floor, Wm. G. Stratton Bldg.
 Springfield, IL 62706
 217/782-1392
- 12) Initial Regulatory Flexibility Analysis:

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

- A) Types of small businesses, small municipalities and not for profit corporation affected: Small school districts are affected.
- B) Reporting, bookkeeping or other procedures required for compliance: Application forms must be completed, property purchased, plans and specifications developed and construction carried out.
- C) Types of professional skills necessary for compliance: Statistical skills needed to compile applications. School districts will hire architects and/or engineers to prepare plans and specifications, will bid construction work to contractors, and will submit documentation of completed work to obtain grant monies.
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1998
- The full text of the proposed amendment(s) begins on the next page:

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 71: PUBLIC BUILDINGS, FACILITIES AND REAL PROPERTY
CHAPTER I: CAPITAL DEVELOPMENT BOARD
SUBCHAPTER a: RULES

PART 40

STANDARDS FOR AWARD OF GRANTS

SCHOOL CONSTRUCTION ELEMENTARY-AND-SECONDARY-SCHOOLS-CAPITAL-ASSISTANCE
PROGRAM

Section

40.100 Definitions

40.110 General Statement

40.120 Planning Assistance Grants (Repealed)

40.130 Construction Grants

40.140 Debt Service Grants (Repealed)

AUTHORITY: Implementing the Capital Development Board Act [20 ILCS 3105] and authorized by Section 5-55 of that Act and the School Construction Law [105 ILCS 230].

SOURCE: Adopted at 2 Ill. Reg. 30, p. 140, effective July 27, 1978; amended at 4 Ill. Reg. 9, p. 233, effective February 14, 1980; amended at 5 Ill. Reg. 1890, effective February 17, 1981; amended and codified at 8 Ill. Reg. 20342, effective October 1, 1984; amended at 9 Ill. Reg. 17345, effective October 29, 1985; amended at 13 Ill. Reg. 6973, effective April 21, 1989; amended at 20 Ill. Reg. 15244, effective November 15, 1996; emergency amendment at 22 Ill. Reg. 2597, effective January 13, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. _____, effective _____.

Section 40.100 Definitions

The following definitions shall apply to this Part:

"Enrichment Cost" means expenditures not included in the recognized project cost and designated as ineligible expenditures by the Capital Development Board.

"Local Share" means funds provided by the local district equal to the recognized project cost subtracting the State share.

"Recognized Project Cost" means the total of eligible State and local funds necessary to provide for the acquisition, development, construction, reconstruction, rehabilitation, improvement, architectural planning and installation of capital facilities consisting of buildings, structures, durable equipment and land for educational purposes as determined by the Capital Development Board.

"State Share" means the product of the district grant index and the

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

recognized project cost, as determined by the Capital Development Board.

"Unit Cost" means a dollar/sq.ft. cost used for determining the recognized project cost for new construction projects and additions. Costs include A/E design fees, building construction to the five feet line, fixed equipment, associated legal fees and contingency.

(Source: Added at 22 Ill. Reg. _____, effective _____.)

Section 40.110 General Statement

a) The Capital Development Board (hereinafter "Board") will implement the School Construction Law through its School Construction Program (hereinafter "SCP").

b) The Board will make no grant awards prior to compliance by the school district with the State Board of Education regulations for grant entitlement [105 ILCS 230/5-5] (see 28-1565-3105/1A-1-B).

c) Simultaneous with the submission of applications and district facility plans to the State Board of Education, such documents shall be submitted to the Board. The Board shall request submission of additional information in those cases in which the applications and facilities plans do not include all data necessary to fully evaluate the building needs, based on projected enrollment and anticipated program. The Board shall request submission of additional information related to projected enrollment and anticipated program where the application and facilities plans need further clarification, contain discrepancies in information and/or are missing information needed to fully evaluate the building needs.

d) School districts failing to have access to provide the local share of funds within the time period set forth in Section 40.130(c)(7)(B) of this Part (b)(7)(B) shall be re-prioritized these their priority standing and must update its application to establish its priority ranking for the following reapply in the next fiscal year.

e) School districts shall enter into intergovernmental agreements with CDB which may include, but are not limited to, provisions for the following: d) the Board will construct and rehabilitate schools according to the building code as established and approved by the State Board of Education (see 105-1565-5795-107).

1) Funding of the State share in progress payments to school districts for project costs in a manner that meets the needs of the particular construction project, upon proper submittal by the school district.

2) Agreement of the school district to comply with all applicable statutes, codes, and rules.

3) Establishment and maintenance of a separate set of accounts for the construction, study, and planning of the project in

CAPITAL DEVELOPMENT BOARD

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- accordance with generally accepted accounting principles.
- 4) Access to the work, materials, payrolls, and other data and records relevant to the project for purposes of audit and inspection by CDB, or other authorized agencies.
 - 5) That the Architect retained by the School District shall certify on each payment submittal that the expenditures were in accordance with the provisions of the Appropriation Act and the terms of the intergovernmental agreement.
 - 6) Increases in project costs added by change order shall not increase the amount of the State share.
 - 7) If the School District requests CDB to assume administrative or oversight duties, the extent of those duties requested shall be described in the intergovernmental agreement.
 - 8) Other provisions as may be necessary, including those required to ensure a legal and binding agreement.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 40.120 Planning Assistance Grants (Repealed)

- a) The purpose of a Planning Assistance Grant is to enable a school district to develop a school construction project program for design implementation. Planning Assistance Grants may be given for such activities as:
 - 1) Analyzing and determining specific school construction needs including estimates and scope for remodeling and/or rehabilitation of existing facilities;
 - 2) Technical evaluation of sites for construction;
 - 3) Health and Life/Safety surveys of specific facilities for which districts intend to request a School Construction Grant;
 - 4) Construction program statement development to establish functional relationships, work patterns, and traffic flow required by the educational program of the district;
- b) The amount of funds available for Planning Assistance Grants shall be a percentage of the appropriations made pursuant to the School Construction Bond Act (30-IACS-990) as determined by the Board but may not exceed 2% of such appropriations;
- c) The implementation of the planning process must emphasize community and State Board of Education participation;
- d) The Recognized Planning Cost shall be determined by the Board. The State's share of the Recognized Planning Cost (RPC) may not exceed the RPE multiplied by the district's Grant Index as determined and provided by the Illinois State Board of Education. The district's share shall equal the balance of the RPE plus any services ineligibile for State participation and requested by the district;
- e) When favorable Capital Development Board action has been taken on Planning Assistance Grant Awards, local school districts must provide

CAPITAL DEVELOPMENT BOARD

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the district's share of the total Planning Project Cost by depositing same in the State Treasury or by establishing a local trust account pursuant to 71 Ill. Adm. Code 30- Supervision of grant disbursement and contractual obligations shall be the responsibility of the Board.

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

Section 40.130 Construction Grants

Prior to the award of a construction grant, school districts shall meet the following requirements:

- a) Program Statements
 - 1) Project Rationale
 - 2) The Community
 - 3) Education Plan
 - A) Curriculum plan
 - B) Instruction method
 - C) Support plans
 - 3) Description of Activity Areas
 - 4) General Building Considerations
 - 5) Site Analysis
 - 6) Time Schedule of Major Events
 - 7) Cost Estimates and Funding Sources
 - 7) Spatial Relationships
 - 8) Spatial Measurements
 - 9) Cost Estimates and Funding Sources
 - 10) Time Schedule of Major Events
- b) Prohibited Uses
 - 1) Project Rationale
 - 2) The Community
 - 3) Education Plan
 - 3) Description of Activity Areas
 - 4) General Building Considerations
 - 5) Site Analysis
 - 6) Time Schedule of Major Events
 - 7) Cost Estimates and Funding Sources
 - 7) Spatial Relationships
 - 8) Spatial Measurements
 - 9) Cost Estimates and Funding Sources
 - 10) Time Schedule of Major Events

Program statements shall not include any on-going operational costs or any construction projects for which the General Assembly and the Governor have approved specifically designated funds.

- c) Standards for School Site Selection and Approval
 - 1) The local school board shall select the sites for all new projects subject to the determination of the Board that the proposed site meets all minimum engineering and construction standards or requirements.
 - 2) The Board will not approve a new site until the applicant district has informed the chief executive officer of the local government unit within whose jurisdiction the proposed site lies

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

and--has--obtained--any--necessary--approval--of--the--district's--plans--as--they--may--affect--or--be--affected--by--the--plans--and--portions--of--the--local--government--

- 3) Equal-Educational-Opportunity
 the--proposed--site--must--support--legitimate--efforts--to--eliminate--and--prevent--segregation--in--schools--because--of--race--religion--sex--or--national--origin--the--placement--of--the--school--must--at--minimum--be--approved--by--the--State-Board-of-Education--in--this--respect--

2) Suitability for Development and Construction

- A) The site must be free of physical structures, topographical features or subsurface physical conditions that would preclude necessary construction, present insurmountable obstacles to safety or normal utilization, shorten building life, cause excessive delays in project completion, or cause costs to exceed the funds available. "Necessary construction" shall include but not necessarily be limited to: buildings, utility lines, storm water disposal arrangements and paving. The local district shall provide a report, acceptable to the Board, on soil conditions based on the removal of soil for testing. The cost to the local school district of the soil test and report of that test shall be considered as a credit to the local share of the recognized project cost if the site is approved and a grant award is made.

- B) The site must not be subject to existing or foreseeable, harmful or disruptive environmental hazards and nuisances. Such hazards and nuisances may include, but are not necessarily limited to: excessive dust, smoke, noise, odors, air pollutants, soil pollutants, floods, ground water incursions, vibrations, explosions, and electrical discharges. Site acquisition shall be subject to the Farmland Preservation Act [505 ILCS 75], Interagency Wetland Policy Act of 1989 [20 ILCS 830], Illinois State Agency Historic Resources Preservation Act [20 ILCS 3410], Archaeological and Paleontological Resources Protection Act [20 ILCS 3435] and the Illinois Endangered Species Protection Act [520 ILCS 10], as may be applicable.

3) Availability of Site

- A) The local district shall have a period of 150 days from the time of grant award to acquire title to the site, or rights of use and exclusion sufficient to carry out the purposes and programs of the school. Such time period may be extended for 60 days by the Executive Director. Any further extension must be approved by the Board. Extensions will be granted in those cases in which there is a reasonable expectation that the district will be able to acquire the site within the period of the extension and the delay has

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been occasioned by a condition beyond the control of the district, such as a delay in acquiring a title commitment. A grant will not be awarded until the Board has had a reasonable opportunity to enter upon the site, inspect it in detail, and conduct whatever site tests are deemed necessary to establish the suitability of the site for school purposes.

- C) The Board will not approve a site unless its development and use for the proposed school is in compliance with applicable local zoning laws, or unless action has been taken to bring variation of same into compliance.

- D) When street vacations, utility relocations, or such action will be required prior to start of construction, the local district must present documentation that such actions will be approved by the responsible local governmental units before the Board will approve the site.

4) Site Size and Configuration

- A) The proposed site must contain usable space sufficient in size and of regular configuration so as to accommodate the school's on-site program as well as to accommodate ancillary functions that are better served on-site than off-site, such as parking, bus loading and unloading, casual student assembly and play, and pedestrian movement between different points on the site.

- B) The school's on-site program shall be defined to include the school's instructional program and any other activities and events the applicant school district plans to conduct on the site. The applicant may tailor its on-site program to fit the site proposed, but the Board will not approve a site that is insufficient to accommodate a program that is standard for the district as a whole or will not comply with the Board's standards as embodied in Section 2-3.25 of the School Code [105 ILCS 5/2-3.25] and determined by the State Board of Education. Determination of the adequacy of the site's space in terms of the number of students shall be based on the design capacity of the school building.

C) Space for Buildings

- In addition to those portions of the site required for other purposes, there must be a portion or portions of the site that are of such size, shape and physical quality that they are sufficient to accommodate the buildings that would be required by the maximum design enrollment of the school. This "building reserve" must be at least sufficient in ground area to provide for gross floor space, as set forth in the section on space standards for new construction, subsection (c)(4)(D) of this Section 40-130 (b)(6)(B). For facilities with more than one floor the

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"building reserve" must be at least sufficient in ground area to provide for one-half the gross floor space.

- D) Non-Building Space
- i) At a minimum, the site must provide the following amounts of space (in addition to that reserved for buildings to meet "Special Requirements" as defined in subsection (c)(4)(E) of this Section
- 40-130(b)(6)(B)--following of a shape, character and location that the site they can readily be improved to provide areas suitable for physical education and recreation, any planned accommodation of vehicles, and the accommodation of outdoor access, circulation and evacuation in accordance with CDB's List of Eligible Capital Infrastructure Program Expenditures for Construction of New School Facilities (hereinafter "List of Eligible Expenditures").

Minimum-Usable-Area-for-Non-Building-Needs

School Grades	Sq.-Ft. Student	Acres-for-Sample-Enrollments	1000	2000	3000
K-6	113	1-52	1-30	2-59	
7-9	143		1-64	3-20	6-57
10-12	195			4-40	8-95

- ii) For additions to existing schools, the addition should not be planned on existing open space and/or playground area of existing schools, unless it can be demonstrated that the construction of the addition will not reduce the amount of space necessary to fulfill the program and provide adequate recreational space.

iii) In those instances where a combination of the above minimum-area requirements results in a total minimum requirement less than 1.5 acres, 1.5 acres shall be considered the minimum acceptable acreage.

- E) Special Requirements
- Irrespective of the above are minimums for useable area. However, irrespective of required these minimums, the site must be of sufficient size to provide for the following needs as indicated:

- i) Space for Outdoor On-Site Program
- There must be a portion or portions of the site, in addition to those reserved for other purposes, that are of such size, shape and physical character that they can be readily improved to accommodate the safe conduct of the outdoor portions of the on-site school

NOTICE OF PROPOSED AMENDMENT(S)

program. The site must permit the safe conduct of a physical education program that meets district standards, taking into account the varying physical capacities of students, types and amounts of activities in the physical education program, and the daily and yearly time schedule of the school.

- ii) Accommodation of Vehicles
- There must be portions of the site, in addition to those necessary for other purposes, that are of such size, shape, physical quality and location that they can provide spaces for vehicles as indicated below without contravening local zoning ordinances: safe loading and unloading areas for school buses, where areas are necessary to the safety of students from street traffic; secure and convenient parking spaces for staff, visitors, and students in conformance with district policies; and safe accommodation of delivery and service vehicles involved in serving the school.

- iii) Access, Circulation, Evacuation Assembly
- There must be portions of the site of such size, shape, physical quality and location that they can be improved to provide: unobstructed exterior avenues of escape from the exits of all proposed buildings and the areas adjacent to buildings in the event that evacuation is necessary; safe and convenient circulation by students between and among the building(s) and outdoor activity areas of the site; safe accommodation for the unsupervised outdoor assembly of students and their pastimes before school, after school, at lunch breaks and at recesses; safe accommodation of the outdoor assemblies of students and spectators occasioned by school-sponsored spectator events to be held on the site.

F) Variance of Site Size and Configuration

The Board will approve a proposed site which does not meet the minimum requirements of this subsection (c)(4) Section 40-130(b)(6)(A)-(B) when all the following criteria have been met:

- i) The local school board petitions the State Board of Education and the Board for a variance from the minimum requirements of this subsection (c)(4) Section 40-130(b)(6)(A)-(B) stating with specificity the reasons for such variance.
- ii) The local school board certifies to the Board that the requested variance will not place the facility in noncompliance with the educational program standards as described in Section 2-3.25 of the School Code (105 ILCS 5/2-3.25) or with any federal laws or

CAPITAL DEVELOPMENT BOARD

NOTICE OF PROPOSED AMENDMENT(S)

regulations:

- ii) ~~that~~ The State Board of Education certifies to the Board that the variance complies with all requirements of the School Code and rules ~~educational--program standards~~ of the State Board of Education ~~as described in--23--iii--Adm--Code--Subtitle-A--Chapter-I--and--the State--Board--of--Education--identifies--in--its certification--which--of--the--minimum--requirements--is--to be--varied--and--to--what--extent.~~

5) ~~Utilities and Services~~

- A) ~~Water Supply~~
Water must be available at the site in sufficient volume and delivery rates and of appropriate quality to serve the firefighting needs of the proposed school as well as to accommodate other forms of water consumption.
- B) ~~Sanitary Sewage Disposal~~
The location or character of the site must not prevent the disposal of sanitary sewage from the school.
- C) ~~Storm Water Disposal~~
The location or character of the site must not prevent the disposal of storm water from the school.
- D) ~~Electric, Power, Telephone, Gas~~
The site must present no obstacles to the provision of electric power, telephone services, and whatever gas service the school may require at the point in the construction process when utility hook-ups are made.
- E) ~~Solid Waste Management Systems~~
Solid waste management services must be available to the site.

6) ~~Architect-Engineer Selection~~

The selection of an architect-engineer shall be in accordance with the Local Government Professional Services Selection Act [50 ILCS 510] ~~44-311-Adm--Code--1999-1107--Grants--will--not--be--awarded to--local--school--districts--which--have--contracted--with--an--architect or--engineer--unless--the--selection--of--the--architect--or--engineer--has been--previously--approved--by--the--Board.~~

7) ~~State and Local Financial Participation in School Construction Projects~~

- A) Determination of Recognized Project Cost
i) Recognized project cost shall be based upon calculations in accordance with the List of Eligible Expenditures and shall include unit cost (\$/sq.ft.) as follows: buildings constructed to the five feet line, design and construction contingencies, building fixed equipment; plus additional associated costs as deemed appropriate by the Board in consultation with local school districts as follows: site improvements including related A/E fees and reimbursements, land

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acquisition and associated legal fees for the project site acquired, movable equipment, and utility service lines, both on-site and off-site, and special foundation construction and related A/E fees deemed necessary as a result of unusual sub-surface soil conditions.

- ii) The Board shall establish and include in the List of Eligible Expenditures unit cost limitations for elementary, secondary and vocational school construction based upon periodic review and revision of maximum cost per gross square foot allowances.

B) Project Space Standards for New Construction and Additions

- i) General
CDB shall establish detailed project standards including space and capacity standards in the List of Eligible Expenditures. New schools with adequate space for all necessary instructional and ancillary activities require more space per student than additions to existing schools. Different space standards are required to accommodate different grade levels, i.e., Pre-K-6, 7-9, and 10-12. Economies of scale in terms of space per student can be anticipated for larger schools. ~~New construction--should--involve no--less--than--the--gross--space--allowance--for--100 elementary--students--200-junior-high-students--or--450 senior--high--students,--except--under--unusual circumstances.~~

ii)

Square Footage
The following maximum standards are established for the determination of the State share of the recognized project cost in connection with a construction grant:

Square Foot Per StudentELEMENTARY (Pre-K-6)

Gross square feet
per student 100
per additional student beyond 240 82

MIDDLE/JUNIOR HIGH SCHOOL (7-9)

Gross square feet
per student 120
per additional student beyond 400 100

HIGH SCHOOL (9-12)

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Gross square feet per student	140
per additional student beyond 600	110
New-Elementary-School	K-6
Gross-sq.-footage-per-student	76
Gross-----sq-----footage-----per additional-student-beyond-240 students	62
New-Junior-High-School	7-9
Gross-sq.-footage-per-student	120
Gross-----sq-----footage-----per additional-student-beyond-400 students	100
New-High-School	10-12
Gross-sq.-footage-per-student	140
Gross-----sq-----footage-----per additional-student-beyond-600 students	110

E) For new--additions--to--existing--buildings--total--projects should--be--planned--for--not--less--than--the--gross--space allowance--for--150--students--Multiple--sites--may--be considered--but--for--no--less--than--50--students--at--any--one site--Space--standards--for--additions--should--not--exceed--those for--new--buildings--as--detailed--in--subsection--(9)(b)--above--Unless--a--variance--is--granted--by--the--Board--based--on--evidence of--projected--enrollments--and--space--needs--presented--by--the user--agency--space--standards--should--equal--those--set--forth--in subsection--(9)(b)--above--for--additional--students--beyond--the base--numbers--of--240--students--for--elementary--400--students for--junior--high--and--600--for--new--high--schools--Applications from--school--districts--over--500--inhabitants--should--be limited--to--those--projects--planned--for--new--construction--or large--additions--(over--450--pupils)--for--the--project--year.

C) B) Remodeling or Rehabilitation
The recognized project cost for remodeling/ rehabilitation projects must be developed on an individual basis with space per student not to exceed standards set for construction of building--additions as set forth in subsection (c)(7)(P) subsections--(9)(b)--and--(6)--above, and unit costs not t)

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exceed standards for new construction as established from time to time by the Board.
D) E) Premises for Space Standards
i) All necessary types of space shall be included for freestanding schools.
ii) An average space-per-student can be derived from space type need by level: elementary, middle/junior high and high school.
iii) Space needs for additions to existing schools may be less than needs for freestanding schools.
iv) A building efficiency (net assignable space to total space) of 65% is the acceptable minimum.
v) Unit costs (\$/sq.ft.) used for determining the recognized project cost, including A/E design fees, building construction to the five feet foot line, fixed equipment, associated legal fees and a contingency shall be no greater than those unit costs established from time to time by the Board. Said unit costs are determined as needed and are established by resolution-of the Board and included in the List of Eligible Expenditures. In establishing unit costs the Board members shall be guided by current costs within the construction industry and the goal of receiving fair value for public funds expended.

E) F) Limits on SCP CAP Participation and Site Cost
Districts will not receive Board assistance or credit for acreages beyond the following maximums:
Elementary (Pre-K-6) - 5 acres plus 1 acre per 100 students, Middle/Junior High (7-9) - 15 20 acres plus 1 acre per 100 students, and
High School (9-12) - 20 30 acres plus 1 acre per 100 students.

F) G) The State and local share of the recognized project cost shall be computed by multiplying the recognized project cost by the Grant Index as defined by the School Construction Law and determined by the State Board of Education. Local districts must have access to provide the local district share of the recognized project cost through bond-referendum or--other--means within 90 days after of the grant award by the Board. Such period may be extended by the Executive Director for a maximum period of 30 days if the district demonstrates that appropriate steps have been taken to obtain the district's share of the recognized project cost and that an additional 30 days is necessary to complete the process. Local school districts are urged to begin referendum proceedings upon grant entitlement by the State Board of Education.

G) H) The local district share of the recognized project cost may

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shall be placed in a local trust account pursuant to 71 Ill. Adm. Code 30.

H) School Districts may add to a project cost beyond the recognized project cost with local district funds. Funds for such project supplements may be deposited in local inviolable trust accounts.

I) To insure that State funds are applied only to the recognized project cost, the percentage of the architect's design estimate, by trade, will be applied to the bids to determine the portion representing the recognized and supplemental project cost. The actual recognized project cost as derived from the above bidding will be multiplied by the grant index to determine the final dollar amounts to be paid by the State and local school districts. The enrichment supplemental project cost will be paid by the local school district as specified in subsection (C)(7)(H) of this Section (9)(f) above. Any savings realized in bidding shall be equitably distributed between the State and the local school district.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 40.140 Debt Service Grants (Repealed)

- a) The Board shall verify amount of principal and interest due in the fiscal year that the application is received.
 - 1) School districts shall submit to the Board a list of bonds eligible for participation as defined in the Capital Assistance Program guidelines.
 - 2) Eligible bonds must have principal and interest payments due during the current program year.
 - 3) A copy of the county clerk's certification certifying the principal and interest payment due during the current fiscal year for eligible participation shall be submitted to the Board.
- b) The Board shall determine according to the provisions of Sections 3-05/1A-5-1 through 1A-11, the amount to be awarded.
- c) Applications for debt service must be made by school districts for each year of this Capital Assistance program.
- d) Bond funds needed for the local school district's share of supplemental costs of a project being constructed through a Capital Assistance Program construction grant shall be ineligibile for a Debt Service Grant.
- e) Bond funds not used to finance school construction shall be ineligibile for funding under the Debt Service Program.

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: The Travel Regulation Council

2) Code Citation: 80 Ill Adm. Code 3000

3) Section Numbers: Proposed Action:

3000.220 Amend

3000.400 Amend

3000.Appendix A Amend

4) Statutory Authority: Implementing and authorized by Sections 12, 12-2 and 12-3 of the State Finance Act [30 ILCS 105/12, 12-2 and 12-3].

5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking will amend Sections 3000.220, 3000.400 and 3000.Appendix A. The change to Section 3000.220 and one change to Appendix A are "clean-up" changes. The change to Section 3000.400 and the companion change to 3000.Appendix A will increase the maximum reimbursement rate for lodging in Cook County to the rate established by the federal government.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? This rulemaking makes references to 5 USC 5701-5709 and 41 CFR 301, Appendix A.

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days after the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
217/782-9669

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

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C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: These changes were identified at a meeting of the Travel Regulation Council on January 9, 1998. Therefore, the need for the rulemaking did not come to the Department's attention until after the timeframe in which a regulatory agenda was to be filed.

The full text of the Proposed Amendments begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE 1: GENERAL TRAVEL CONTROL
CHAPTER IV: TRAVEL REGULATION COUNCIL

PART 3000

THE TRAVEL REGULATION COUNCIL

SUBPART A: GENERAL

Section
3000.100
3000.110
3000.120
3000.130
3000.140

Authority
Philosophy
Policy
Scope and Interpretation
Definitions

SUBPART B: TRAVEL CONTROL SYSTEM

Section
3000.200
3000.210
3000.220
3000.230

Travel Control System
Designation of Headquarters
Expenses at Headquarters or Residence
Preparation and Submission of Vouchers or Travel Expenses

SUBPART C: TRANSPORTATION

Section
3000.300
3000.310

Modes of Transportation
Routing

SUBPART D: LODGING

Section
3000.400
3000.410
3000.420
3000.430

Lodging Allowances
Least Costly Lodging
Conference Lodging
Employee Owned or Controlled Housing

SUBPART E: PER DIEM-MEALS

Section
3000.500
3000.510

Per Diem Allowance
Meal Allowance

SUBPART F: MISCELLANEOUS RULES

Section
3000.600

Reimbursable and Non-Reimbursable Expenses

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3000.610 Expenses Related to Transportation
3000.620 Receipts Required
3000.630 Meals for Other Persons

SUBPART G: EXCEPTIONS

Section
3000.700
3000.710
3000.720

Exceptions to the Rules
Board-Agency Rules
Non-Required Travel

APPENDIX A Reimbursement Schedule

AUTHORITY: Implementing and authorized by Sections 12, 12-2 and 12-3 of the State Finance Act [30 ILCS 105/12, 12-2 and 12-3].

SOURCE: Emergency rules adopted at 10 Ill. Reg. 12697, effective July 2, 1986, for a maximum of 150 days; adopted at 10 Ill. Reg. 18188, effective January 1, 1987; peremptory amendment at 11 Ill. Reg. 14854, effective August 25, 1987; amended at 12 Ill. Reg. 11626, effective July 1, 1988; amended at 14 Ill. Reg. 10014, effective July 1, 1990; amended at 19 Ill. Reg. 7852, effective July 1, 1995; amended at 20 Ill. Reg. 7372, effective May 13, 1996; amended at 20 Ill. Reg. 9025, effective July 1, 1996; amended at 21 Ill. Reg. 8899, effective July 1, 1997; amended at 22 Ill. Reg. _____, effective _____.

SUBPART B: TRAVEL CONTROL SYSTEM

Section 3000.220 Expenses at Headquarters or Residence

- a) As a condition of employment, employees expect to incur commuting expenses between their residence and headquarters. These expenses are not reimbursable. Meals, lodging and per diem are not reimbursable at headquarters or at residence. Expenses associated with State business in excess of commuting expenses are reimbursable at headquarters and/or residence. An employee whose travel does not include travel through headquarters shall be reimbursed for all mileage. An employee whose travel does include travel through headquarters shall be reimbursed for all mileage in excess of commuting mileage. All travel must be by the most direct route.
- b) "Travel through headquarters" is defined as:
Any travel to or through the corporate city limits of the employee's designated headquarters, regardless of whether the employee made a stop at the work site or changed vehicles or modes of transportation.
- c) Examples of reimbursable mileage expenses are as follows:
1) Residence/Lincoln -- Headquarters/Springfield. Employee drives from residence in Lincoln to Chicago and returns to residence. Reimbursement is for all mileage because the travel was not to or

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- through headquarters.
- 2) Residence/Lincoln -- Headquarters/Springfield. Employee drives from residence in Lincoln to Collinsville and back to residence. Reimbursement is for all mileage in excess of commuting mileage. The travel, by the most direct route, was through headquarters.
 - 3) Residence/Carbondale -- Headquarters/Marion. Employee drives from residence to headquarters. Later, employee drives from headquarters to Anna and back to residence. Reimbursement is for all mileage in excess of commuting mileage.
 - 4) Residence/Evanston -- Headquarters/JRTC, Chicago. Employee drives from residence to McCormick Place for an event. After the event, the employee drives to headquarters, then to residence. Reimbursement is for all mileage in excess of commuting mileage because the travel was through headquarters.
 - 5) Residence/Chicago -- Headquarters/JRTC, Chicago. Employee normally commutes to work by train. However, in order to attend a meeting at another location, the employee drives from residence to headquarters, then to the meeting location, then returns to headquarters and back to residence. Reimbursement is for all mileage in excess of commuting mileage. The fact that the employee normally rides the train to work has no effect on determining reimbursement.
- d) Agencies are responsible for monitoring claims under this Section.
- (Source: Amended at 22 Ill. Reg. _____, effective _____)

SUBPART D: LODGING

Section 3000.400 Lodging Allowances

- a) The lodging allowances specified in Appendix A, Reimbursement Schedule are the maximum rates allowed by the Travel Control Boards. The Council shall review the rates annually to determine necessary adjustments. Except as provided in Section 3000.430, only commercial lodging may be reimbursed.
- b) The maximum reimbursement for lodging in Cook County, Illinois shall be in accordance with the rate promulgated pursuant to 5 U.S.C. 5701-5709 and 41 CFR 301 Appendix A.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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Section 3000.APPENDIX A Reimbursement Schedule

The following rates are effective for the Travel Control Boards. The rates will be reviewed annually to determine necessary adjustments.

Type of Reimbursement RateMileage

Auto

Plane

See Section 3000.300(f)(2)

See Section 3000.300(g)(2) ~~\$9-49~~Per Diem/MealsWithin the State of Illinois

Breakfast

Lunch

Dinner

\$5.50

\$5.50

\$17.00

Per Diem -- Quarter

Per Diem -- Day

\$7.00

\$28.00

Outside the State of Illinois

Breakfast

Lunch

Dinner

\$6.50

\$6.50

\$19.00

Per Diem -- Quarter

Per Diem -- Day

\$8.00

\$32.00

LodgingChicago Metro

County of Cook

Counties of Cook, Dupage, Kane,

Lake, McHenry, Will

See Section 3000.400(b)

\$80.00

Downstate

Counties of Champaign, Kankakee,

LaSalle, McLean, Macon, Madison

Peoria, St. Clair, Sangamon,

Tazewell, and Winnebago

\$60.00

All other downstate counties

\$50.00

Out-of-State

\$110.00

Out-of-Country

Actual Reasonable

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(Source: Amended at 22 Ill. Reg. _____, effective _____)

STATE BOARD OF EDUCATION

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- 1) Heading of the Part: Block Grant for School Improvement
- 2) Code Citation: 23 Ill. Adm. Code 160
- 3) Section Numbers: Proposed Action:
160.10 Amendment
160.20 Amendment
160.30 Amendment
160.40 Amendment
- 4) Statutory Authority: 105 ILCS 5/Art. 1C (see P.A. 90-108, effective January 1, 1998).
- 5) A Complete Description of the Subjects and Issues Involved: P.A. 90-548 made significant changes in the Block Grant for School Improvement described in Article 1C of the School Code, focusing it on professional development exclusively. Changes are being made throughout Part 160 to correspond with this altered focus, beginning with changing the title of the Part from "Block Grant for School Improvement" to "Professional Development Block Grant." Another important change involves the basis on which the funds will be allocated to districts (see Section 160.30). This will now be done based on the number of full-time certified instructional staff employed by the district, rather than on a per-pupil basis. Most of the other changes are minor and are being made to conform the rules to the law's new provisions.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777

STATE BOARD OF EDUCATION

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(217) 782-3950

12) Initial Regulatory Flexibility Analysis:A) Types of small businesses, small municipalities and not for profit corporations affected: NoneB) Reporting, bookkeeping or other procedures required for compliance:
NoneC) Types of professional skills necessary for compliance: None13) Regulatory Agenda on which this rulemaking was summarized: January 1998The full text of the proposed rule(s) begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER c: FINANCE

PART 160

BLOCK GRANT FOR SCHOOL IMPROVEMENT

Section	Purpose
160.10	Use of Funds
160.20	Application, Approval, and Funding
160.30	Terms of the Grant
160.40	

AUTHORITY: Implementing and authorized by Article 1C of the School Code [105 ILCS 5/Art. 1C].

SOURCE: Adopted at 19 Ill. Reg. 16533, effective December 5, 1995; amended at 22 Ill. Reg. _____ effective _____.

Section 160.10 Purpose

- a) This Part establishes the procedures and criteria for approval of applications submitted by school districts to the State Board of Education for professional development block grant funds as authorized by Article 1C of the School Code [105 ILCS 5/Art. 1C] (see P.A. 90-548, effective January 1, 1988).
- b) The purpose of the block grant is to allow greater flexibility and efficiency in the distribution of certain funds to school districts and in the use of these funds for the improvement of educational services pursuant to locally established priorities (Section 1C-1 & 2 of the School Code [105 ILCS 5/1C-1 5/1C-2]).

c) Block-grant-programs shall include:

1) staff-development-including-those-programs-and-activities-that meet-the-requirements-of-Sections-2-3-59-and-2-3-60-of-the-School Code;

- 2) development-of-outcomes-and-assessments-including-the-activities called-for-in-Sections-2-3-63-and-2-3-64-of-the-School-Code;
- 3) planning-related-to-second-language-programs-and/or
- 4) other-priorities-identified-in-a-district-s-school-improvement plan(s)-(see-Subpart-A-of-the-State-Board's-rules-for-Public Schools-Evaluation-Recognition-and-Supervision-23-11-Adm-Code-17).

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 160.20 Use of Funds

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- a) Block grant funds provided pursuant to this Part shall be used only for professional development initiatives that address issues identified in a district's school improvement plan one-or-more-of-the areas-listed-in-Section-160-10(c)-of-this-Part.
- b) An amount not exceeding five percent of a district's block grant funds may be allocated for administrative costs directly related to the use of those grant funds one-or-more-of-the-areas-listed-in-Section-160-10(c)-of-this-Part.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 160.30 Application, Approval, and Funding

Each public school district is entitled to receive an annual distribution of block grant funds. This shall be calculated by the State Board of Education on a per-pupil-basis, based upon the total amount of funds appropriated for this purpose and the number of full-time certified instructional staff employed in the district as the total enrollment in grades K-12 reflected in the Teacher Service Record Fall-Enrollment-and-Housing-Report for the immediately preceding school year. "Full-time certified instructional staff" includes only those individuals included in the elementary, secondary, and special education categories on the Teacher Service Record who are full-time employees of the district. The following procedures shall apply to the distribution of these funds.

- a) The State Board of Education shall annually notify school districts of the estimated per-pupil amount of the block grant entitlement per qualifying staff member, and shall notify districts of the final entitlement amount within 60 days after the amount of the appropriation is determined. The Board shall distribute application forms to school districts, allowing at least 45 days for districts to complete the applications and return them to the agency.
- b) Each school district wishing to apply for block grant funds shall use the forms supplied by the State Board to furnish the following:
- 1) A summary of the proposed use of the professional development funds, indicating the types of activities to be funded; and
 - 2) the total amount--of--the--grant--request--which--shall--be--the estimated--amount--for--which--the--district--is--eligible--pursuant--to this-Section--and 3) Such certifications and assurances as the State Board of Education may require.
- c) State Board staff shall contact any school district whose application is incomplete, identifying such additional information as may be necessary for approval of the application.
- d) Failure to comply with submission timelines may delay a school district's receipt of block grant funds.
- e) The State Superintendent of Education shall approve each application that demonstrates compliance with Article 1C of the School Code and this Part.

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(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 160.40 Terms of the Grant

- a) Approved block grants will be paid to recipients in semiannual installments.
- b) All grant funds shall be subject to the Illinois Grant Funds Recovery Act [30 ILCS 705].
- c) Each school district applying for funds under this program must have a staff development plan on file, approved as required by Section 2-3.59 of the School Code and the State Board's rules at 23 Ill. Adm. Code 30 (Staff Development Plans and Programs).
- d) Funds granted under this program must be used exclusively as set forth for--the--purposes-listed in Section 160.20 160-10(c) of this Part and must be expended in accordance with the approved application and the grantee's policies and procedures related to such expenditures. Funds may only be expended for activities occurring during the grant period, which shall extend from July 1 of one year through June 30 September 15 of the following year.
- e) Each school district receiving block grant funds shall submit the semiannual expenditure reports required-by-Section-16-2-of-the-School Code, on forms supplied by the State Board of Education. Such reports shall describe expenditures of block grant funds for particular functions, by categories such as salaries, benefits, purchased services and supplies and materials.
- f) To permit compliance with Section 1C-4 of the School Code [105 ILCS 5/1C-4], each school district shall annually provide to the State Superintendent of Education a year-end report including such information as the State Superintendent may require regarding the use of the funds provided pursuant to this Part the-activities-funded--the numbers--of--staff-members-who-received-staff-development-services-and the-content-areas-involved--if-applicable--and-a-description--of--the results-of--the-funded-activities.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3) Section Numbers: Proposed Action:
25.65 New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) A Complete Description of the Subjects and Issues Involved: This new Section in Part 25 establishes the approval standards for a program leading to alternative certification valid for teaching in the Chicago Public Schools. The program was created by P.A. 89-708, effective in February of 1997, but could not be implemented until now because it relies upon the formation of a partnership with appropriate entities. At its January meeting, the Board recognized the partnership of Northwestern University, the Golden Apple Foundation and the Inner-City Teaching Corps.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
(217) 782-3950
- 12) Initial Regulatory Flexibility Analysis:
A) Types of small businesses, small municipalities and not for profit corporations affected: None

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- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1998

The full text of the proposed amendment is identical to the text of the emergency amendment published in this issue of the Illinois Register on page

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STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Health/Life Safety Code for Public Schools

2) Code Citation: 23 Ill. Adm. Code 180

3) Section Numbers: Proposed Action:

180.10	Amendment
180.30	Amendment
180.60	Amendment
180.70	Amendment
180.80	Amendment
180.120	Amendment
180.200	Amendment
180.225	New Section
180.230	Amendment
180.250	New Section
180.260	New Section
180.270	New Section
180.280	New Section
180.500	Amendment

4) Statutory Authority: 105 ILCS 5/2-3.12, 2-3.25, and 17-2.11.

5) A Complete Description of the Subjects and Issues Involved: These proposed amendments have several purposes. First and foremost, they will incorporate the most recent version of the Building Officials and Code Administrators (BOCA) building code, so that our rules and Illinois school facilities keep pace with industry standards. In addition, the existing rules for Sprinkler Systems are being moved into Part 180 and repealed from their current location at 23 Ill. Adm. Code 170, so that all the relevant requirements can be found in one set of rules. These have also been revised in the proposed version to reflect changes made by P.A. 90-566, which removed the State Superintendent from the approval process for sprinkler plans (see Section 170.50) and exempted certain spaces from the requirement for sprinklers in favor of automated fire detection systems.

The amendments to Part 180 also set forth requirements for the use of temporary facilities, mainly to make existing practices explicit. Language has been added to specify the types of certificates of occupancy that will be issued and state the process for securing them. The rules now provide improved definitions of "mobile facility" and "waiver," conforming the latter with the waiver law and thereby removing the separate and redundant waiver system that has existed under these rules.

Finally, it has become apparent since the adoption of these rules several years ago that we should alleviate the stringency of our requirement for safety reference plans, so as not to place an undue burden on school districts where documents have been lost or destroyed.

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6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? Yes; please see Sections 180.60, 180.200, 180.230, and 180.270.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
217/782-3950

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was included: This rulemaking was not included on either of the 2 most recent agendas because: These amendments were originally announced in the January 1996 regulatory agenda. They have been pending since that time while the agency has clarified several related issues and, more recently, due to the likelihood that Section 22-23 of the School Code would be changed.

The full text of the proposed rule(s) begins on the next page:

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TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCE

PART 180

HEALTH/LIFE SAFETY CODE FOR PUBLIC SCHOOLS

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Section

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180.20 Severability

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SUBPART E: ADDRESSING VIOLATIONS

Section

180.400 Violations

180.410 Unsafe Conditions

180.420 Temporary Closing and Condemnation

SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section

180.500 Request for Authorization

180.510 Initiation of Work

180.520 Accounting for Fire Prevention and Safety Funds

180.530 Emergencies

180.540 Cost Estimates

AUTHORITY: Implementing and authorized by Sections 2-3.12, 2-3.25, and 17-2.11 of the School Code [105 ILCS 5/2-3.12, 2-3.25, and 17-2.11].

SOURCE: Adopted at 19 Ill. Reg. 5004, effective March 24, 1995; amended at 22 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 180.10 Purpose and Scope

a) The purpose of this Part is to establish minimum standards for public school facilities which will protect the health, safety, and general welfare of the pupils, school personnel, and others who use them.

b) The requirements set forth in this Part shall apply to all Illinois public school districts except those governed by Article 34 of the School Code. The facilities of districts governed by Article 34 are subject to the requirements of Sections 180.250 through 180.280 of this Part (see Section 22-23 of the School Code [105 ILCS 5/22-23]) and in all other respects shall comply with local building codes.

(Source: Amended at 22 Ill. Reg. _____, effective _____.)

Section 180.30 Definitions

"Annual Inspection" means the inspection conducted annually by a regional superintendent of all the public schools under his or her jurisdiction as required by Section 3-14.21 of the School Code.

"Approved Inspection Agency" (also commonly referred to as "Nationally Recognized Testing Laboratory") means any of the following:

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American Gas Association Laboratories
Central Experiment Station, Bureau of Mines, U.S. Department of the Interior
Engineering Experiment Station, Ohio State University
Factory Mutual Laboratories (Factory Mutual Engineering Division)
Forest Products Laboratory, U.S. Department of Agriculture
National Bureau of Standards, U.S. Department of Commerce
Southwest Research Institute
Underwriters' Laboratories, Inc.
Underwriters' Laboratories of Canada

"Architect" means an architect licensed to practice in Illinois under the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and the administrative rules of the Department of Professional Regulation which implement that Act (68 Ill. Adm. Code 1150).

"Change in Use" means any change in how an existing facility is operated, or the purpose for which it is used, that requires greater structural strength, changes in provisions for ingress or egress, or changes in the electrical system, plumbing system, heating, ventilating, and air conditioning system, fire protection system, or other system required by this Part.

"Construction Documents" means the written and pictorial documents prepared or assembled by a licensed design professional to describe the design, location, and physical characteristics of a project involving construction or other like activities subject to the requirements of this Part. Such documents include plans, specifications, inspection reports, test reports, maps, educational specifications, enrollment projections, maintenance logs, safety reference plans, and other, similar, descriptive documents.

"Plans" are drawings. They show what a building, system, or component looks like or will look like at a particular stage of construction.

"Specifications" are instructions. They identify materials to be used, methods to be employed, details and calculations to be considered, and the relationships among design components.

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"Decennial Inspection" means the inspection of all buildings in a school district conducted at least every 10 years as required by Section 2-3.12 of the School Code, which shall be conducted by a licensed design professional and shall result in a safety survey report as defined in this Section.

"Engineer" means an engineer licensed to practice in Illinois under either the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325] or the Structural Engineering Licensing Act of 1989 [225 ILCS 340] and the applicable administrative rules of the Department of Professional Regulation (68 Ill. Adm. Code 1380 or 68 Ill. Adm. Code 1480, respectively).

"Facility" means land, buildings, structures and improvements other than buildings, and permanent, fixed equipment attached to or incorporated in any building owned or used for school purposes by a school district subject to this Part. This definition excludes facilities owned by a school district but not used for public school purposes, which shall be subject to local building codes.

"Vehicular Mobile Facility" means a vehicular structure that is mounted on a chassis and wheels, subject to transportation from place to place along normally traveled streets, roads, and highways, and subject to occupancy and use virtually immediately upon arrival at its destination ~~vehicle-used-by-students-and/or staff-as-an-alternative-to-a-building-or-structure-and-not-for transportation.~~

"Licensed Design Professional" means either an architect or an engineer as defined in this Section.

"Like Activity" means any work involving or similar to construction which is performed with respect to any facility of a school district subject to the requirements of this Part, including but not limited to reconstruction, substantial alteration, repair, remodeling, renovation, or change in use. Repairs which qualify as minor repairs shall not be considered "like activities" subject to the requirements of this Part.

"Minor Repairs" are any repairs to an individual building or structure which are not subject to the bidding requirements of Section 10-20.21 of the School Code, with the following exceptions:

Cutting away of any wall, partition, or portion thereof;

Cutting or removal of a structural beam or load-bearing support;

Removal of or change in a required means of egress;

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Rearrangement of parts affecting exit requirements;

Addition to, alteration of, replacement, or relocation of any standpipe, drain leader, or gas, soil, waste, water supply, sewer drainage, vent or similar piping; electrical wiring; or mechanical or other required building system.

"Safety Survey Report" means a report prepared by a licensed design professional and ensuing from a decennial inspection required pursuant to Section 180.310 of this Part or another inspection conducted by a licensed design professional.

"School Building" or "School" means a building occupied in whole or in part by public school students or intended for occupancy by such students.

"The School Code" means the School Code [105 ILCS 5].

"Variance" means an alternative to a code requirement that is judged to provide equal or superior performance or protection compared to the code requirement, and is approved by the State Superintendent.

"Waiver" means an exemption from a code requirement that is approved pursuant to Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g] and the State Board's rules at 23 Ill. Adm. Code 1.100 by the State Superintendent because the applicable code requirement is shown to be either economically or technically unfeasible in the case at hand, and because exemption from the particular requirement does not pose a serious threat to the health or safety of the occupants of the facility in question.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 180.60 Applicability

Every After the effective date of this Part, March 24, 1995, every facility other than a vehicular mobile facility shall conform to the "BOCA National Building Code" published by the Building Officials and Code Administrators (1996 1993; 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795), as modified by Sections (a) through (d) of this Section, unless a variance or waiver is obtained pursuant to Section 180.70 of this Part or use of a temporary facility is authorized pursuant to Section 180.230 of this Part. No later amendments to or editions of these standards are incorporated by this rule. The effective date called for in Section 3408.2 of the BOCA National Building Code shall be the effective date of this Part. BOCA permits a facility constructed prior to its the effective date of this Part, March 24, 1995, to be maintained in compliance with the building code that previously

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applied to the facility, and provide separate provisions governing the alteration, repair, change of occupancy, replacement of component parts or systems, and enlargement of an existing facility. (BOCA, Section 102.2; Chapter 34-)

a) The administrative provisions of this Part shall apply instead of the administrative provisions contained in Sections 101, 103-114 103-1007 103-114, 116 and 118-121 of Chapter 1 of the BOCA National Building Code.

b) The Illinois Accessibility Code (71 Ill. Adm. Code 400) shall apply instead of the accessibility provisions set forth in Chapter 11 of the BOCA National Building Code.

c) The requirements set forth in the Illinois Plumbing Code (77 Ill. Adm. Code 890) shall apply instead of those expressed in the BOCA National Plumbing Code incorporated in Chapter 35 of the BOCA National Building Code.

d) The requirements set forth in the Illinois State Fire Marshal's rules titled Boiler and Pressure Vessel Safety (41 Ill. Adm. Code 120) shall apply instead of those expressed in the Boiler and Pressure Vessel Safety Code (ASME 89) published by the American Society of Mechanical Engineers and incorporated in Chapter 35 of the BOCA National Building Code.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 180.70 Variances and Waivers

a) When a requirement or standard set forth in any code incorporated herein cannot be satisfied, a school board may apply for a waiver of that requirement or standard pursuant to Section 2-3.25g of the School Code and the State Board's rules at 23 Ill. Adm. Code 1.100.

b) Except as limited by subsection (b)(3) of this Section, when a requirement or standard set forth in any code incorporated herein can be satisfied by an alternative means, or cannot be satisfied, a school board may apply for a variance or a waiver, respectively, as defined in Section 180.30 of this Part.

1) The in either case, the affected facility must have been surveyed by a licensed design professional.

2) The When a variance is sought, the architect or engineer conducting the survey shall certify and document in what particular respects the proposed alternative provides performance or protection equal or superior to that provided by the code requirement(s) from which a variance is sought.

3) The requirements relative to sprinkler systems set forth in Sections 180.250 through 180.280 of this Part may not be varied pursuant to this subsection (b). Waivers or modifications of those requirements may only be requested pursuant to Section 2-3.25g of the School Code and the State Board's rules at 23 Ill.

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Adm. Code 1.100. When a waiver is sought, the architect or engineer conducting the survey shall certify and document in what particular respects it is impracticable to comply with the particular code requirement, and upon what facts or basis he or she contends that the waiver of the code requirement will not pose a serious threat to the life or safety of the occupants of the facility.

c) b) Procedure for Obtaining Variances and Waivers

1) The board of education shall complete and submit an application for approval of a variance or waiver to the State Superintendent through the regional superintendent.

2) An application shall be submitted for each variance or waiver sought for a particular facility, and shall:

A) Describe the Specify whether a variance or a waiver is being sought;

B) Identify the board of education seeking the variance or waiver, the basis upon which it is seeking the variance or waiver, and the facility for which the variance or waiver is being sought;

C) Indicate the date upon which the board of education adopted a resolution to seek the variance or waiver;

D) Indicate the specific rule from which a variance or waiver is sought;

E) Include, by attachment, the statement(s), supporting documents, and certification of the architect or engineer who surveyed the facility; and

F) Be signed by the president and secretary of the board of education and the district superintendent.

3) Upon receipt of an application for approval of a variance or waiver, the regional superintendent shall record the identifying information, the date of submission, and the subject rule in his or her records and forward the application, his or her recommendation regarding its approval, and supporting materials to the State Superintendent.

4) Upon receipt of the application for approval of a variance or waiver, the State Superintendent may appoint a technical review panel which will review the application and supporting materials, recommend approval or denial of the variance or waiver, and recommend any special conditions under which approval should be granted.

5) The State Superintendent shall issue either a letter Certificate of Variance or Waiver indicating approval, the date, and any special conditions, or a letter of denial. He or she shall return the application, supporting materials, and letter of approval certificate or denial to the regional superintendent for processing and forwarding to the board of education.

6) Upon receipt of the State Superintendent's decision certificate, the regional superintendent shall amend his or her records to

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reflect the conditions and particulars of approval, if approved; or proceed with enforcement of the code if disapproved; and forward the documents to the district originating the application for implementation.

d) c) Variances and waivers shall be subject to review and revocation:

1) In conjunction with any substantial repair, alteration, new construction, or change in use that may affect the conditions upon which the variance or waiver was granted;

2) If material facts upon which the variance or waiver was based change or are found to be false or erroneous;

3) In the course of review and approval of the next decennial survey conducted in accordance with Subpart D of this part; or

4) When a code is amended to incorporate the substance of a variance or delete a requirement previously waived.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 180.80 Vehicular Mobile Facilities

A vehicular mobile facility may be used, provided that:

a) It is licensed and/or titled as required by applicable provisions of the Motor Vehicle Code and rules promulgated by the Secretary of State or the Department of Transportation; and

b) The regional superintendent has inspected the vehicular mobile facility and found that it does not pose a serious threat to the life or safety of its occupants; and

c) It has received a certificate of occupancy from the regional superintendent.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

SUBPART B: RECORDKEEPING REQUIREMENTS

Section 180.120 Safety Reference Plans

Safety reference plans are the "as built" drawings of a facility, updated to include the applicable items required under this Section. These plans shall reflect all additions, alterations, and other changes to these facilities that affect the arrangement, use, rated capacity, student capacity, or other information required to be shown thereon. They shall serve as a means of indicating the safety-related conditions of a facility, as an aid in developing emergency exit plans, and in other circumstances where reference to overall layouts is necessary.

a) Each local school board shall maintain up-to-date safety reference plans for all facilities owned or used by the district for any school purpose. However, replacement of lost or destroyed safety reference

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plans will not be required if the regional superintendent determines that such replacement would be overly expensive or burdensome. ~~These plans shall reflect additions, alterations, and other changes to these facilities that affect the arrangement, use, rated capacity, student capacity, or other information required to be shown thereon.~~ Each set of safety reference plans shall include:

- 1) A site plan meeting the requirements of subsection (e) of this Section;
- 2) Schematic floor plans as described in subsection (f) of this Section;
- 3) An attic plan meeting the requirements of subsection (h) of this Section, if required pursuant to subsection (g) of this Section; and
- 4) Such additional drawings and/or ~~and~~ schedules as may be necessary to effectively describe the nature and operational characteristics of the facility in question.
 - b) Safety reference plans shall be drawn to scale, using a medium suitable for reproduction and revision. Each safety reference plan and any revision thereto shall be titled, dated, signed, and certified by the architect or engineer responsible for its preparation.
 - c) Two complete sets of safety reference plans shall be provided for each facility, one to be kept by the board of education in a safe place and one to be kept on the site to which it applies.
 - d) Whenever safety reference plans are completed or up-dated, they shall be submitted to the regional superintendent for review and approval.
 - e) Each site plan shall be drawn to a scale sufficient to show the required information clearly and legibly, and shall include a legend. The site plan shall include the location and identification of:
 - 1) Highways, boulevards, avenues, or streets bordering the site;
 - 2) Each building or other structure on the site;
 - 3) Each building located on adjacent property less than 75 feet away from a school building;
 - 4) Public fire hydrants and municipal fire alarm boxes adjacent to or on the site;
 - 5) Utility supply services (water, gas, electricity, etc.) leading into the site and into each building or other structure, their size, and the location of shut-offs for each such service;
 - 6) Primary walkways, fire lanes, and bus loading and unloading zones;
 - 7) Play areas and automobile parking areas, and the surfacing material of each;
 - 8) Landscaping or other materials or areas on the site that might impede ingress or egress;
 - 9) Fences and gates, and their respective heights;
 - 10) Elevation with respect to sea level and location with respect to floodways and floodplains; and
 - 11) Unusual terrain.
 - f) Each schematic floor plan shall be drawn for one floor of a building,

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to a scale sufficient to show the required information clearly and legibly, and shall include a legend. Each floor plan shall include the following information.

- 1) Identification of each fire area shown on the Plan, and a statement establishing the height in stories, construction type, protection classification and plan classification of each such fire area.
- 2) The elevation of each floor level with respect to the floor level of the lowest street floor. The street-floor plan shall show the difference in elevation between its floor level and the grade level outside at each point of ingress-egress from the building to a point 12 feet from the building line.
- 3) The location of all existing or proposed partitions and walls, the identification of those partitions and walls required to have a fire resistance rating, and the rating so required.
- 4) The identification of each room and space as to its occupancy and use.
- 5) The designation of the rated population capacity and student enrollment capacity for each floor and each occupied room or space thereon.
- 6) The identification of the areas protected or proposed to be protected by a sprinkler and/or fire detection system.
- 7) The location, arrangement and width of each stairway, ramp, fire resistive passageway, fire escape and slide escape which serves as a required means of exit, and of each corridor, passageway, primary egress aisle or balcony which provides the required path of travel to each such exit.
- 8) The location, direction of swing, width, type, and, where required, fire rating of each door located in the path of travel to a required exit or serving as part of a required exit.
- 9) The locations of vertical openings and the existing or proposed protection for such openings.
- 10) The existing or proposed locations of fire alarm boxes, fire alarm horns and lights, exit lights, emergency lighting, and fire alarm control panel.
- 11) The location of primary air distributing or recirculating fans and designation of the areas served by each such fan.
- 12) Location and identification of fuel burning equipment (both permanent and moveable).
- 13) On the basement plan, or lowest street floor plan if no basement exists, the location and height of service tunnels and under-floor crawl spaces along with the existing or proposed method of separating such tunnel and spaces from adjacent occupied spaces.
- g) A plan shall be included for each attic:
 - 1) Which is used, or can be used, for storage purposes; or
 - 2) Which is of combustible construction and used as an open-plenum chamber; or

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- 3) Which has an average clear height from the top of the ceiling below to the underside of the roof joists or slab (if no joists exist) of more than 42 inches.

h) Each attic plan shall show:

- 1) The construction of the roof and ceiling;
- 2) The slope of the roof and such other details as necessary to illustrate the size and arrangement of the attic;
- 3) Access doors, ducts and other openings into the attic and existing or proposed protection for such openings;
- 4) Existing or proposed fire-stopping for subdividing attics;
- 5) The existing or proposed automatic protection (sprinkler or fire detection) and the area to be protected.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

SUBPART C: CONSTRUCTION AND LIKE ACTIVITIES

Section 180.200 Application for Building Permit

No construction or other, like activity as defined in Section 180.30 of this Part shall begin until a building permit has been obtained pursuant to the following provisions.

- a) The school board shall file an Application for a Building Permit ("application") with the regional superintendent having jurisdiction over the board of education in question, on a form prescribed supplied by the regional superintendent State-Board-of-Education. If the board is not the owner, the board shall attach an affidavit from the owner indicating the owner's consent for the proposed work.
- b) The completed application shall be accompanied by two copies of all relevant construction documents. Plans and specifications submitted as part of an application shall be prepared by or under the supervision of an architect or engineer. They shall bear the stamp of, and the following certification signed by, the responsible architect or engineer:

"I hereby certify that these plans and specifications were prepared under my supervision and to the best of my knowledge comply with (here insert the code or codes, including the edition, upon which the plans and specifications were drawn).

These plans and specifications consist of the following:

(here list the plates or sheets constituting the plans & specifications)

(Seal) by _____

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(Architect/Engineer Signature)

(Date Signed) _____ (Lic. # and Exp. Date) _____

- 1) Plans shall be drawn to scale and be based upon the "Architectural Graphics Standards" published by the American Institute of Architects (1988; 1735 New York Avenue, NW, Washington, D.C. 20006). No later amendments to or editions of these standards are incorporated by this rule.
- 2) Specifications shall, to the greatest extent possible, be written in conformance with the Construction Specifications Institute's "Master format" published by John Wiley and Sons, Inc. (1988; 601 Madison Street, Alexandria, Virginia 22314), or the "Uniform at II" published by the American Society for Testing and Materials (1993; 1916 Race Street, Philadelphia, Pennsylvania 19103-1187). No later amendments to or editions of these standards are incorporated by this rule.
- 3) Whenever reference is made in plans or specifications to this Part or the codes incorporated by reference herein, such reference shall identify the specific edition, section and subsection(s) applicable to the subject in question.
- c) Upon receipt of an application, the regional superintendent shall record the date of submission by the school board and assign a unique identification number to said application. This identification number shall be used on all building permits issued pursuant to the application.
- d) ~~The regional superintendent shall review the application to determine whether or not the nature and extent of the proposed work are such as to require plans and specifications for the installation of a sprinkler system as provided in 23-III-Adm-Code-170 (Sprinkler Systems).~~
 - i) ~~If a sprinkler system is required or proposed and the plans and specifications are included, he or she shall separate such plans and specifications and forward them to the State Board of Education for review and approval.~~
 - 2) ~~If a sprinkler system is required but no plans and specifications are included, he or she shall notify the applicant of such deficiency.~~
 - 3) ~~If no sprinkler system is required or proposed, he or she shall proceed with the review of the application and construction documents.~~ e) If the proposed work involves the installation of a closed, prefabricated mechanical system (e.g., a window air conditioner or heating, ventilating, air conditioning (HVAC) unit), the regional superintendent shall not issue a building permit until he or she has reviewed an evaluation report on such system from an approved inspection agency and verified that the report supports the use of the mechanical system in question as proposed.

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(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 180.225 Application for Certificate of Occupancy

A school board wishing to occupy a facility subject to this Part shall make application to the regional superintendent, on a form prescribed by the regional superintendent. A board may request either a general certificate of occupancy, a certificate of partial occupancy, a certificate of occupancy for a temporary facility, or a certificate of occupancy for a vehicular facility, as applicable (see Section 180.230 of this Part). The regional superintendent shall respond to a request for a certificate of occupancy within 20 calendar days after his or her receipt of such a request.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 180.230 Certificate of Occupancy

A certificate of occupancy shall be obtained prior to any occupancy of a facility, including a vehicular facility. ~~A certificate of occupancy shall be printed on a form supplied by the State Board of Education and may be either general or temporary.~~

a) General Certificate of Occupancy

When the work covered by a building permit is complete or a facility complies with the requirements of this Part, and upon presentation of accurate safety reference plans for the facility certified by an architect or engineer to be in compliance with this Part (see Section 180.120 of this Part), the regional superintendent shall issue a general certificate of occupancy.

b) Certificate of Partial Occupancy

When requested to do so, a regional superintendent shall issue a certificate of partial occupancy before completion of the entire work covered by a permit, provided that his or her inspection indicates that some area(s) can be occupied safely prior to full completion.

c) Certificate of Occupancy for a Temporary Facility

Effective July 1, 1998, a regional superintendent, when requested to do so, shall issue a one-year certificate of occupancy for a temporary facility, allowing use of a facility which does not comply with all the requirements of this Part, provided that all the following requirements are met.

- 1) Use of the facility is necessary to meet a temporary need of the school district, as verified by the regional superintendent.
- 2) The school board presents a plan either for replacement of the temporary facility with a facility meeting the requirements of this Part or for the elimination of the temporary need upon which the request is based. The school board's plan includes positive action to accomplish this end within a specified period of time.

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during which the certificate may be annually renewed.

- 3) The facility has been surveyed by a licensed design professional, whose report is attached identifying the respect(s) in which the facility fails to comply with the requirements of this Part and certifying that such noncompliance does not jeopardize the general health and safety of the students and others who occupy the facility.

- 4) If the facility is a premanufactured unit such as a mobile home, trailer unit, or other, similar structure, the application shall include evidence that all of the following conditions exist:

A) The facility has received the seal of approval issued by the Illinois Department of Public Health pursuant to the Manufactured Housing and Mobile Home Safety Act [430 ILCS 115];

B) The facility is anchored as specified in "Manufactured Home Installations (NCSBCS/ANSI A225.1)," published by the National Conference of States on Building Codes and Standards, Inc. (1994; 505 Huntmar Park Drive, Suite 210, Herndon, Virginia 22070);

C) The facility is separated from other buildings by the distance required pursuant to the BOCA National Building Code; and

D) The facility is connected to the fire alarm system and intercom or telephone system of a nearby school building, if such a system is present.

E) Certificate of Occupancy for a Vehicular Facility

When requested to do so, a regional superintendent shall issue a certificate of occupancy for a vehicular facility, provided that the facility meets the requirements of Section 180.80(a) and (b) of this Part.

a) If requested to do so, a regional superintendent shall issue a temporary certificate of occupancy before completion of the entire work covered by a permit, provided that his or her inspection indicates that some area(s) can be occupied safely prior to full completion.

b) If the work is complete and complies with the requirements of this Part, and upon presentation of accurate safety reference plans for the facility, certified by an architect or engineer to be in compliance with this Part, the regional superintendent shall issue a general certificate of occupancy.

c) The regional superintendent shall respond to a request for a certificate of occupancy within 20 calendar days of his or her receipt of such a request.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 180.250 Sprinkler Systems

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This Section and Sections 180.260, 180.270, and 180.280 of this Part set forth the requirements and standards for sprinkler systems installed in school buildings pursuant to the provisions of Section 22-23 of the School Code. *The requirements set forth herein shall apply to the school board, Board of Education, Board of School Directors, Board of School Inspectors, or other governing body of each school district in this State, including special charter districts and districts organized under Article 34.* (Section 22-23 of the School Code)

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 180.260 Sprinkler System Requirements and Applicability

a) *No school construction shall be commenced in any school district unless sprinkler systems are required by the plans for such construction* (Section 22-23 of the School Code).

b) "School construction" means any of the activities enumerated in Section 22-23 of the School Code, when the affected building is occupied in whole or part by public school students or is intended for occupancy by such students.

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 180.270 Standards for Sprinkler Systems

Sprinkler system plans shall conform to the requirements set forth in the "Standard for the Installation of Sprinkler Systems" (NFPA 13; 1994) and, where alternative protection is necessary, plans for such protection shall conform to the requirements set forth in "Dry Chemical Extinguishing Systems" (NFPA 17; 1994), both published by the National Fire Protection Association, 1 Battery March Park, Quincy, Massachusetts 02269-9101. (No later amendments to or editions of these standards are incorporated by this Section.)

(Source: Added at 22 Ill. Reg. _____, effective _____)

Section 180.280 Standards for Sprinkler System Plans and Specifications

a) Preliminary plans and specifications submitted as part of applications for building permits shall define the extent, arrangement, and quality of the work described therein.

b) Preliminary plans and specifications shall be prepared by or under the supervision of an architect or engineer licensed to practice in Illinois, and shall bear the stamp of and a certificate signed by the responsible architect or engineer, which shall have the following form: Architect's or Engineer's Certificate

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"I hereby certify that these plans and specifications for the installation of a sprinkler system, including any alternative forms of protection, were prepared under my supervision and, to the best of my knowledge, comply with the requirements identified in 23 Ill. Adm. Code 180.260 and 180.270. These plans and specifications consist of the following:
(architect or engineer to list contents)

(Date) _____ (Signature and Stamp) _____
(Source: Added at 22 Ill. Reg. _____, effective _____)

SUBPART F: FIRE PREVENTION AND SAFETY FINANCING

Section 180.500 Request for Authorization

a) A school board desiring to use fire prevention and safety funds shall submit to the regional superintendent, on forms supplied by the State Board of Education, a Request for Authorization ("request"). The request shall consist of a Statement of Facts and Assurances and a Summary of Financing Requirements and shall be accompanied by the following documents, prepared and certified by a licensed design professional:

- 1) A sketch map showing district boundaries and the locations of all facilities, and
 - 2) A sketch showing facilities on each site involved in the request, and
 - 3) Schematic floor plans or other drawings necessary to show and describe the facility in question and the nature of the work to be done, and
 - 4) A Violation and Recommendation Schedule including a brief description of each violation and the recommended correction, and
 - 5) A Statement of Estimated Costs.
- b) If the request is submitted within one year after approval of the district's most recent safety survey report and that report remains accurate, any of the documents contained in that report may be used to meet the comparable requirements of subsections (a)(1) through (a)(5) above.

c) Fire prevention and safety financing shall only be approved if:

- 1) the district has levied at its maximum authorized rate for its operations and maintenance fund for the most recent year for which tax rates are available; and
- 2) the district does not have sufficient unrestricted funds (as defined in 23 Ill. Adm. Code 110, Table B) in its operations and maintenance fund and/or its fire prevention and safety fund to

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- pay for the necessary work.
- d) If the regional superintendent finds that the request is complete and approvable, he or she shall so certify and forward the request with such certification to the State Superintendent of Education. If the regional superintendent disapproves the request, he or she shall so certify and return the request with such certification to the local board. *The regional superintendent shall approve or disapprove each request within three months after its submission by a local board.*
- e) *A board of education whose request is ~~denied~~--by---a---regional superintendent--or not acted upon within three months may submit the request to the State Superintendent for review.* (Section 17- 2.11 of the School Code.)
- f) Except under emergency circumstances as provided for in Section 180.530 ~~180-570~~ of this Part, a regional superintendent shall not grant approval to use fire prevention and safety funds for any work which has already been initiated, without the prior express authorization of the State Superintendent. (Section 17-2.11 of the School Code.)
- g) If the State Superintendent finds that a request is complete and approvable, he or she shall so certify and return the approved request with such certification to the regional superintendent.
- h) Upon receipt of an approved request from the State Superintendent, the regional superintendent shall issue an order to implement the request and forward the request and the order to the originating school board.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Pupil Transportation
- 2) Code Citation: 23 Ill. Adm. Code 275
- 3) Section Numbers: Proposed Action:
275.20 Amendment
275.90 Amendment
275.115 New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6; 625 ILCS 5/12-807.2 (see P.A. 90-108, effective July 1, 1997) and 12-812(b)
- 5) A Complete Description of the Subjects and Issues Involved: P.A. 90-108, enacted in July of 1997, added a new Section to the Illinois Vehicle Code requiring the use of crossing control arms on school buses. The State Board of Education is authorized to promulgate rules governing their use.
- A new Section 275.115 is being added to the rules for Pupil Transportation to set forth the requirements that are needed to implement the new law. In addition, updates are being made in several existing Sections where appropriate to acknowledge the use of crossing arms. Finally, language is being deleted from Section 275.20(d) since it only repeats statutory language and is not a comprehensive explanation of the one-and-one-half mile rule, which can be found in Section 29-3 of the School Code.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a State mandate.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education
100 North First Street
Springfield, IL 62777
(217) 782-3950

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1998

The full text of the proposed rule(s) begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER h: TRANSPORTATION

PART 275

PUPIL TRANSPORTATION

Section

275.10 Definition of a School Bus

275.20 Routing

275.30 Annual Medical Examination and Certificate (Repealed)

275.40 Permit Application Process (Repealed)

275.50 Hearings (Repealed)

275.60 Vehicles Designed to Carry Nine Passengers or Less Excluding the Driver (Repealed)

275.70 Issuance of Permit (Repealed)

275.80 Training

275.90 Bus Safety Training for Students

275.100 Responsibility of Local School Boards

275.110 Operating a School Bus

275.115 School Bus Crossing Arm

275.120 Special Education

AUTHORITY: Implementing Section 27-26 and Article 29 of the School Code [105 ILCS 5/27-26 and Art. 29], Section 1-182 of the Illinois Vehicle Code [625 ILCS 5/1-182], Sections 6-104(b) and (d) and 6-106.1 of the Illinois Driver Licensing Law [625 ILCS 5/6-104(b) and (d) and 6-106.1], and Sections 11-406, 11-1202, and 11-1414 of the Illinois Rules of the Road [625 ILCS 5/11-406, 11-1202, and 11-1414] and authorized by Section 2-3.6 of the School Code [105 ILCS 5/2-3.6] and Sections 12-807.2 and 12-812(b) of the Illinois Vehicle Equipment Law [625 ILCS 5/12-807.2 and 12-812(b)].

SOURCE: Illinois School Bus Transportation Rules and Regulations, amended April 18, 1974; rules repealed, new rules adopted at 2 Ill. Reg. 37, p. 201, effective September 25, 1978; codified at 7 Ill. Reg. 16507; amended at 13 Ill. Reg. 1532, effective January 23, 1989; emergency amendment at 14 Ill. Reg. 6411, effective April 17, 1990, for a maximum of 150 days; emergency expired September 14, 1990; amended at 14 Ill. Reg. 17954, effective October 18, 1990; amended at 19 Ill. Reg. 16545, effective December 5, 1995; amended at 21 Ill. Reg. 14543, effective October 28, 1997; amended at 22 Ill. Reg. _____, effective _____.

Section 275.20 Routing

- a) School bus routing is the responsibility of the local school board.
- b) Bus stops shall be planned to maximize provide-maximum safety. To the greatest extent possible, school districts shall arrange school bus _____.

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

stops so that school buses will not have to back up and so that crossing arms will not infringe on pedestrian crosswalks or cross streets. If a loading zone is not visible to oncoming and following traffic, the Illinois Department of Transportation must be notified to determine the need to erect appropriate signs.

- c) A map or written description which designates each school bus route, the regular stops, railroad grade crossings, and other pertinent information shall be maintained by the local education agency.
- d) ~~School districts shall provide free transportation to pupils residing one and one-half miles or more from any school to which the pupils are assigned. The mile and one-half distance for mandatory transportation shall be measured as that distance between the point at which pupils normally exit their property to that point at the pupils' attendance center where school buses normally unload. The distance between is measured by determining the shortest distance on normally traveled roads, streets or sidewalks.~~

e) School buses are not required to enter private property. However, where a school district chooses to enter private property, it should obtain written permission from the said property owner or the owner's designated representative.

f) Only persons authorized by the school district are allowed to ride school buses.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 275.90 Bus Safety Training for Students

- a) Section 27-26 of the School Code requires each public school's ~~school~~ curriculum to include instruction in safe riding practices for all students transported by a school bus in connection with any school activity.
- b) Such instruction shall be given at least twice during each school year.
- c) Such instruction shall include at least two emergency evacuation drills during each school year.
- d) Such instruction shall include instruction on the proper procedures for walking around school bus crossing arms. Students shall be instructed not to step over or under a crossing arm or swing on it.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 275.115 School Bus Crossing Arm

- a) A school bus driver shall use the school bus crossing arm whenever the bus stops to allow students to enter or leave the bus. The driver shall allow sufficient space for the full extension of the crossing

STATE BOARD OF EDUCATION

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arm without infringing on other vehicles, other obstacles, the pedestrian crosswalk, or a cross street. However, a driver may omit using the crossing arm at school loading areas where school buses are parked bumper to bumper or when extending the crossing arm would impede pedestrians' crossing, extend into the adjacent cross street, or collide with another object or vehicle.

- b) Each school bus driver shall keep a log of instances when he or she elects not to activate the crossing arm when its use is required, indicating for each instance the time, the location, and the reason for the decision not to activate it.

1) Reports of such instances shall be filed with the school district, which shall use this information in evaluating school bus routes and pickup and dropoff points. Districts shall retain these records in a manner consistent with their retention policies applicable to other records.

2) Districts shall conduct such investigation as may be needed to determine whether a bus stop should be relocated due to an obstruction or other situation which causes the crossing arm not to be used.

- c) A school bus shall not be used if its crossing arm is found to be inoperable during the pre-trip inspection, or if the crossing arm has malfunctioned and has not yet been repaired.

d) If a crossing arm malfunctions while the school bus is carrying students, the driver shall note the stop where the malfunction first occurs, continue on the route, and document all stops where the crossing arm fails to operate. School districts may establish policies requiring more stringent recordkeeping or other procedures when this occurs.

(Source: Added at 22 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Sprinkler Systems
- 2) Code Citation: 23 Ill. Adm. Code 170
- 3) Section Numbers: Proposed Action:
 170.10 Repeal
 170.20 Repeal
 170.30 Repeal
 170.40 Repeal
 170.50 Repeal
- 4) Statutory Authority: 105 ILCS 5/22-23.
- 5) A Complete Description of the Subjects and Issues Involved: The State Board's rules for Sprinkler Systems are being moved into Part 180 (Health/Life Safety Code for Public Schools) and repealed from their current location at 23 Ill. Adm. Code 170, so that all the relevant requirements can be found in one set of rules. At the same time, the sprinkler rules are being revised to reflect changes made by P.A. 90-566, which removed the State Superintendent from the approval process for sprinkler plans (see Section 170.50) and exempted certain spaces from the requirement for sprinklers in favor of automated fire detection systems.
- 6) Will this proposed repealer replace an emergency repealer currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed repealer contain incorporations by reference? Yes; please see Section 170.30.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
 Agency Rules Coordinator
 Illinois State Board of Education
 100 North First Street
 Springfield, Illinois 62777
 217/782-3950

- 12) Initial Regulatory Flexibility Analysis:

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NOTICE OF PROPOSED REPEALER

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because: This repealer was originally announced in the January 1996 regulatory agenda. It has been pending since that time while the agency has clarified several issues connected with the Health/Life Safety Code for Public Schools, and, more recently, due to the likelihood that Section 22-23 of the School Code would be changed.

The full text of the proposed repealer begins on the next page:

STATE BOARD OF EDUCATION
NOTICE OF PROPOSED REPEALER

when the building is occupied in whole or part by public school students or is intended for occupancy by such students. (Section 22-23 of the School Code.)

Section 170.30 Standards for Sprinkler Systems

The State Superintendent of Education shall approve only sprinkler system plans which conform to the requirements set forth in the "Standard for the Installation of Sprinkler Systems" (NFPA 13; 1991) and, where alternative protection is necessary, "Dry Chemical Extinguishing Systems" (NFPA 17; 1990), both published by the National Fire Protection Association, 1 Battery March Park, Quincy, Massachusetts 02269-9101. (No later amendments to or editions of these standards are incorporated by this rule.) The requirements of this Section 170.30 supersede those set forth in the State Board's rules for "Efficient and Adequate Systems for the Building Specifications for the Construction of Schools" (see 23 Ill. Adm. Code 175.310).

Section 170.40 Standards for Plans and Specifications

- a) Preliminary plans and specifications submitted as part of applications for sprinkler system approval shall define the extent, arrangement, and quality of the work described therein.
- b) Preliminary plans and specifications shall be prepared by or under the supervision of an architect or engineer licensed to practice in Illinois, and shall bear the stamp of and a certificate signed by the responsible architect or engineer, which shall have the following form:

Architect's or Engineer's Certificate
"I hereby certify that these plans and specifications for the installation of a sprinkler system, including any alternative forms of protection, were prepared under my supervision and, to the best of my knowledge, comply with the requirements identified in 23 Ill. Adm. Code 170.20 and 170.30. These plans and specifications consist of the following:

(architect or engineer to list contents)

(Date) (Signature and Stamp)

Section 170.50 Approval Process

- a) Each application for approval of sprinkler system plans and specifications shall be initiated by submitting two copies of the preliminary plans and specifications to the Regional Superintendent of Education having jurisdiction over the school district in which the installation is to take place.
- b) Upon receipt of an application for sprinkler system approval, the

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER d: CONSTRUCTION AND BUILDING MAINTENANCE

PART 170
SPRINKLER SYSTEMS (REPEALED)

- Section
170.10 Purpose and Scope
170.20 Requirements and Applicability
170.30 Standards for Sprinkler Systems
170.40 Standards for Plans and Specifications
170.50 Approval Process

AUTHORITY: Implementing and authorized by Section 22-23 of the School Code (Ill. Rev. Stat. 1991, ch. 122, par. 22-23) [105 ILCS 5/22-23].

SOURCE: Adopted at 18 Ill. Reg. 4699, effective March 14, 1994; expedited correction at 18 Ill. Reg. 11386, effective March 14, 1994; Part repealed at 22 Ill. Reg. _____, effective _____.

Section 170.10 Purpose and Scope

This Part sets forth the requirements and standards for sprinkler systems installed in school buildings pursuant to the provisions of Section 22-23 of the School Code (Ill. Rev. Stat. 1991, ch. 122, par. 22-23) [105 ILCS 5/22-23]. The requirements set forth herein shall apply to the school board, Board of Education, Board of School Directors, Board of School Inspectors, or other governing body of each school district in this State, including special charter districts and districts organized under Article 34. (Section 22-23 of the School Code.)

Section 170.20 Requirements and Applicability

- a) No school construction shall be commenced in any school district unless:
 - 1) sprinkler systems are required by the plans for such construction; and
 - 2) the State Superintendent of Education has approved the plans and specifications for the installation of such sprinkler systems as provided in Section 170.50 of this Part. (Section 22-23 of the School Code.)
- b) "School construction" means the construction of a new school building, the construction of an addition to a school building, and any alteration, remodeling, renovation, or reconstruction project affecting one or more areas of a school building which cumulatively are equal to 50% or more of the square footage of the school building,

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NOTICE OF PROPOSED REPEALER

- Regional Superintendent shall forward both copies of the application to the State Superintendent of Education within 10 calendar days.
- c) The State Superintendent of Education shall review each application for conformance with the standards set forth in Sections 170.30 and 170.40 of this Part. Applicants submitting incomplete applications shall be given 10 calendar days to submit any missing documentation directly to the office of the State Superintendent, upon notification to the applicant by staff of the State Board.
 - d) The State Superintendent shall advise the Regional Superintendent in writing within 30 calendar days of receipt of a complete application as to the approval or disapproval of the application.
 - e) Each notice of disapproval shall identify the deficiencies in the application, removal of which would permit approval thereof.
 - f) Upon receipt of notice of the State Superintendent's disapproval, the Regional Superintendent shall advise the applicant within 10 calendar days of such disapproval and of the deficiencies identified as required in subsection (e) above.
 - g) For each application approved, the State Superintendent shall forward to the Regional Superintendent a Certificate of Approval, along with both copies of the application as approved.
 - h) Upon receipt of notice of the State Superintendent's approval, the Regional Superintendent shall forward one copy of the approved application to the applicant within 10 calendar days, along with the Certificate of Approval. The Regional Superintendent shall retain the other copy of the approved application.

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Derivative Instruments
- 2) Code Citation: 50 Ill. Adm. Code 806
- 3) Section Numbers:

	<u>Proposed Action:</u>
806.10	New Section
806.20	New Section
806.30	New Section
806.40	New Section
806.50	New Section
806.60	New Section
- 4) Statutory Authority: Implementing Article VIII and authorized by Sections 126.8 and 401 of the Illinois Insurance Code [215 ILCS 5/Art. VIII, 126.8 (see P.A. 90-418, effective August 15, 1997) and 401].
- 5) A Complete Description of the Subjects and Issues Involved: The purpose of this Part is to set standards for the prudent use of derivative instruments in accordance with P.A. 90-418, effective August 15, 1997. This new rule will set general guidelines and internal control procedures for derivative instruments. This rule will also specify monitoring, trading and recordkeeping requirements for derivative instruments.
- 6) Will this proposed rule replace an emergency rule currently in effect?
No
- 7) Does this rule contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference? Yes. Please see Section 806.30 of this Part.
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This new rule will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

James C. Rundblom Staff Attorney Department of Insurance 320 West Washington Springfield, IL 62767 (217) 785-8559	Denise Hamilton Rules Unit Supervisor Department of Insurance 320 West Washington Springfield, IL 62767 (217) 785-8560
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DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: This new rule will not affect small businesses or small municipalities.

B) Reporting, bookkeeping or other procedures required for compliance: Please see Section 806.50 for recordkeeping requirements.

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: July 1997

The full text of the Proposed Rules begins on the next page:

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER j: INVESTMENTS OF DOMESTIC COMPANIES

PART 806

DERIVATIVE INSTRUMENTS

Section	Purpose
806.10	Applicability
806.20	Definitions
806.30	Guidelines and Internal Control Procedures
806.40	Documentation Requirements
806.50	Trading Requirements
806.60	

AUTHORITY: Implementing Article VIII and authorized by Sections 126.8 and 401 of the Illinois Insurance Code [215 ILCS 5/Art. VIII, 126.8 (see P.A. 90-418, effective August 15, 1997) and 401].

SOURCE: Adopted at 22 Ill. Reg. _____, effective _____.

Section 806.10 Purpose

The purpose of this Part is to set standards for the prudent use of derivative instruments in accordance with Article VIII of the Illinois Insurance Code [215 ILCS 5/Art. VIII (see P.A. 90-418, effective August 15, 1997)].

Section 806.20 Applicability

This Part shall be applicable to investments and investment practices of all domestic insurers and United States branches of alien insurers entered through this State.

Section 806.30 Definitions

Business Entity includes a sole proprietorship, corporation, limited liability company, association, partnership, joint stock company, joint venture, mutual fund, trust, joint tenancy or other similar form of business organization, whether organized for profit or not for profit. [215 ILCS 5/126.2(H) (see P.A. 90-418, effective August 15, 1997)]

Counterparty Exposure Amount means:

The amount of credit risk attributable to a derivative instrument entered into with a business entity other than through a

DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED RULES

qualified exchange or qualified foreign exchange, or cleared through a qualified clearinghouse ("over-the-counter derivative instrument"). The amount of credit risk equals:

The market value of the over-the-counter derivative instrument if the liquidation of the derivative instrument would result in a final cash payment to the insurer; or

Zero if the liquidation of the derivative instrument would not result in a final cash payment to the insurer.

If over-the-counter derivative instruments are entered into under a written master agreement which provides for netting of payments owed by the respective parties, and the domicile of the counterparty is either within the United States or, if not within the United States, within a foreign jurisdiction listed in the Purposes and Procedures of the Securities Valuation Office as eligible for netting, the net amount of credit risk shall be the greater of zero or the net sum of:

The market value of the over-the-counter derivative instruments entered into under the agreement, the liquidation of which would result in a final cash payment to the insurer; and

The market value of the over-the-counter derivative instruments entered into under the agreement, the liquidation of which would result in a final cash payment by the insurer to the business entity.

For open transactions, market value shall be determined at the end of the most recent quarter of the insurer's fiscal year and shall be reduced by the market value of acceptable collateral held by the insurer or placed in escrow by one or both parties. [215 ILCS 5/126.2(S) (see P.A. 90-418, effective August 15, 1997)]

Derivative Instrument means:

An agreement, option, instrument or a series or combination thereof:

To make or take delivery of, or assume or relinquish, a specified amount of one or more underlying interests, or to make a cash settlement in lieu thereof; or

That has a price, performance, value or cash flow based primarily upon the actual or expected price, level,

DEPARTMENT OF INSURANCE

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performance, value or cash flow of one or more underlying interests

Derivative instruments include options, warrants used in a hedging transaction and not attached to another financial instrument, caps, floors, collars, swaps, forwards, futures and any other agreements, options or instruments substantially similar thereto or any series or combination thereof and any agreements, options or instruments permitted pursuant to this Part. Derivative instruments shall not include an investment authorized by Sections 126.11 through 126.17, 126.19 and 126.24 through 126.30 of the Illinois Insurance Code. [215 ILCS 5/126.2(V) (see P.A. 90-418, effective August 15, 1997)]

Derivative Transaction means a transaction involving the use of one or more derivative instruments. [215 ILCS 5/126.2(W) (see P.A. 90-418, effective August 15, 1997)]

Qualified Clearinghouse means a clearinghouse for, and subject to the rules of, a qualified exchange or a qualified foreign exchange, which provides clearing services, including acting as a counterparty to each of the parties to a transaction such that the parties no longer have credit risk as to each other. [215 ILCS 5/126.2(OO) (see P.A. 90-418, effective August 15, 1997)]

Qualified Exchange means:

A securities exchange registered as a national securities exchange, or a securities market regulated under the Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.), as amended;

A board of trade or commodities exchange designated as a contract market by the Commodity Futures Trading Commission or any successor thereof;

Private Offerings, Recales and Trading through Automated Linkages (PORTAL);

A designated offshore securities market as defined in Securities Exchange Commission Regulation S, 17 C.F.R. Part 230, as amended; or

A qualified foreign exchange. [215 ILCS 5/126.2(ppp) (see P.A. 90-418, effective August 15, 1997)]

Qualified Foreign Exchange means a foreign exchange, board of trade or contract market located outside the United States, its territories or possessions:

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NOTICE OF PROPOSED RULES

That has received regulatory comparability relief under Commodity Futures Trading Commission (CFTC) Rule 30.10 (as set forth in Appendix C to Part 30 of the CFTC's Regulations, 17 C.F.R. Part 30);

That is, or its members are, subject to the jurisdiction of a foreign futures authority that has received regulatory comparability relief under CFTC Rule 30.10 (as set forth in Appendix C to Part 30 of the CFTC's Regulations, 17 C.F.R. Part 30) as to futures transactions in the jurisdiction where the exchange, board of trade or contract market is located; or

Upon which foreign stock index futures contracts are listed that are the subject of no-action relief issued by the CFTC's Office of General Counsel, provided that an exchange, board of trade or contract market that qualifies as a "qualified foreign exchange" only under this definition shall only be a "qualified foreign exchange" as to foreign stock index futures contracts that are the subject of no-action relief. [215 ILCS 5/126.2(QQQ) (see P.A. 90-418, effective August 15, 1997)]

Section 806.40 Guidelines and Internal Control Procedures

a) Before engaging in a derivative transaction, an insurer shall establish written guidelines that shall be used for effecting and maintaining the transactions. The guidelines shall:

- 1) Address investment or, if applicable, underwriting objectives, and risk constraints, such as credit risk limits;
- 2) Address permissible transactions and the relationship of those transactions to its operations, such as a precise identification of the risks being hedged by a derivative transaction; and
- 3) Require compliance with internal control procedures.

b) An insurer shall have a system for determining whether a derivative instrument used for hedging has been effective. In so doing a company should set specific criteria at the inception of the hedge as to what will be considered "effective" in measuring the hedge and then apply those criteria in the ongoing assessment based on actual hedge results.

c) An insurer shall have a credit risk management system for over-the-counter derivative transactions that measures credit risk exposure using the counterparty exposure amount.

d) An insurer's board of directors shall, in accordance with Section 126.4 of the Illinois Insurance Code [215 ILCS 5/126.4]:

- 1) Approve the guidelines required by subsection (a) of this Section and the systems required by subsections (b) and (c) of this Section; and
- 2) Determine whether the insurer has adequate professional personnel, technical expertise and systems to implement

DEPARTMENT OF INSURANCE

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investment practices involving derivatives.

Section 806.50 Documentation Requirements

An insurer shall maintain documentation and records relating to each derivative transaction, including, but not limited to:

- a) The purpose or purposes of the transaction;
- b) The assets or liabilities to which the transaction relates;
- c) The specific derivative instrument used in the transaction;
- d) For over-the-counter derivative instrument transactions, the name of the counterparty and the counterparty exposure amount; and
- e) For exchange traded derivative instruments, the name of the exchange and the name of the firm that handled the trade.

Section 806.60 Trading Requirements

Each derivative instrument shall be:

- a) Traded on a qualified exchange;
- b) Entered into with, or guaranteed by, a business entity;
- c) Issued or written by, or entered into with, the issuer of the underlying interest on which the derivative instrument is based; or
- d) Entered into with a qualified foreign exchange.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Detection of Deception Examiners Act2) Code Citation: 68 Ill. Adm. Code 12303) Section Numbers: Proposed Action:

1230.10 Repealed
 1230.20 Amendment
 1230.30 Amendment
 1230.120 Amendment
 1230.130 Amendment

4) Statutory Authority: The Detection of Deception Examiners Act [225 ILCS 430]5) A Complete Description of the Subjects and Issues Involved: This rulemaking repeals outdated material and updates Sections pertaining to practical experience, disclosure of examination results and maintenance of records.

Under practical experience requirements, the minimum number of examinations to be completed is reduced from 50 to 30.

In the Section pertaining to the disclosure of examination results, language is added to clarify that an examiner shall not be required to prepare a written report when asked by a defense attorney on behalf of his/her client not to do so. When the examination is being utilized as part of that attorney's work product, it falls under protected attorney/client privilege.

Added to a list of materials an examiner is required to maintain for at least 5 years is a copy of all examination reports prepared by the examiner. Numerous style changes also were made.

6) Will these proposed amendments replace emergency amendments currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Do these proposed amendments contain incorporations by reference? No9) Are there any other proposed amendments pending on this Part? No10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Department of Professional Regulation
 Attention: Jean A. Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786
 217/785-0813 Fax #: 217/782-7645

All written comments received within 45 days of this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Those using or offering the services of a detection of deception examiner.

B) Reporting, bookkeeping or other procedures required for compliance: When retained privately, an examiner shall not be required to prepare a written report when asked not to do so by the client. The request must be documented and kept in a file with other specified material that is to be maintained for at least 5 years.

C) Types of professional skills necessary for compliance: Skills in operating a device or instrument used to test or question individuals for the purpose of evaluating truthfulness or untruthfulness are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1230

DETECTION OF DECEPTION EXAMINERS ACT

- Section
1230.10 Statutory Authority (Repealed)
1230.20 Definitions
1230.30 Six Month Study of Detection of Deception
1230.40 Instructors Qualifications and Approval
1230.50 Application for Registered Training
1230.60 Application for Licensure Examination
1230.70 Licensure Examination
1230.80 Impermissible Advertising
1230.90 Pre-Test Interview
1230.100 Protection of the Rights of the Subject
1230.110 Impermissible Activities of an Examiner
1230.120 Disclosure of Examination Results
1230.130 Required Records
1230.140 Endorsement
1230.150 Renewals
1230.160 Granting Variances

AUTHORITY: Implementing Section 22 of the Detection of Deception Examiners Act [225 ILCS 430] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Regulations promulgated for the Administration and Enforcement of the Illinois Detection of Deception Examiners Act, effective June 26, 1975; codified at 5 Ill. Reg. 11031; amended at 6 Ill. Reg. 788, effective January 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 230 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1230 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2929; amended at 22 Ill. Reg. _____, effective _____.

Section 1230.10 Statutory Authority (Repealed)

~~These rules are promulgated pursuant to Section 22 of "An Act to provide for creating and regulating detection of deception examiners and to make an appropriation in connection therewith," approved August 23, 1963, as amended (Act No. 1177, Statutes of 1963, Chapter 117, par. 2423).~~

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

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Section 1230.20 Definitions

As used in these Rules, unless the context requires otherwise:

- a) "Examination" means a detection of deception examination, which generally consists of a pre-test interview, question formulation, two or more tests, and, if appropriate, an interrogation.
b) "Subject" means the person who undergoes an examination.
c) "Client" means the person who engages the services of an Examiner for the purpose of administering an examination to a subject.
d) "Specific issue mock examination" means an examination in which the situation is fictitious and designed to simulate a real life criminal act.
e) "Real life examination" means an examination which uses an actual crime that has been committed.
f) "Trainee" means a person registered for the training required by Section 11(D) of the Act.
g) "Trainer" means a person approved under Section 1230.40(a) to teach the areas in the training required by Section 1230.30(a).
h) "Specialized Instructor" means a person approved under Section 1230.40(b) to teach one of the areas in the training required by Section 1230.30(b).
i) "Test" is that period of time during which a subject's physiological responses are being measured as he is answering test questions.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1230.30 Six Month Study of Detection of Deception

To obtain the 6 six months of training required by Section 11(D) of the Act, a trainee shall be required to complete the following minimum coursework course under the supervision of instructors approved under Section 1230.40:

- a) The following coursework shall be obtained under the supervision of a trainer(s) as defined in Section 1230.20 of this Part. ~~Trainee(s) shall teach courses in the following areas for the minimum number of hours specified:~~
- 1) Fact Taking - Case History Studies - 5 hours
 - 2) General Theory - 10 hours
 - 3) Instrumentation - 10 hours
 - 4) Physical Settings settings for Examinations - 5 hours
 - 5) Question Formulation - 25 hours
 - 6) Pre-test Interviews - 25 hours
 - 7) Behavior Symptom Analysis - 15 hours
 - 8) Stimulation and Calming Techniques - 10 hours
 - 9) Types of Test and Test Procedures - 25 hours
 - 10) Chart Interpretation - 25 hours
 - 11) Completion and Analysis of Required Reports - 10 hours
 - 12) History of Polygraph - 10 hours

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- 13) Ethics - 5 hours
 14) Interrogation - 25 hours
 15) Practical Experience - 30 specific 50 examinations (at least 15 shall be real life examinations and the other 15 may be specific issue mock examinations).

b) The following courses shall be obtained under a specialized instructor as defined in Section 1230.20(F): Specialized instructors shall teach the appropriate course for the minimum number of hours specified:

- 1) Physiological Aspects - 25 hours
 2) Psychological Aspects - 15 hours
 3) Legal Aspects - 15 hours

c) The practical experience required under subsection (a)(15), above, must be earned in the following manner:

- 1) Before a trainee is allowed to conduct any actual real life examinations, he/she must have satisfactorily completed at least 100 hours of formalized instruction.
 2) The trainee must be personally supervised by a trainer while he/she conducts the 30 specific actual examinations. Supervision means the trainer must be at the location where the test is being administered to assist the trainee in:

- A) Evaluating the facts;
 B) Formulating the questions;
 C) Conducting the examination;
 D) Interpreting the polygraph charts; and
 E) Making the final analysis of the examination results.

3) The trainee must conduct the real life examinations and the specific issue mock examinations under the personal supervision of a trainer.

A) Specific issue mock examinations must investigate whether a person performed a specific act and do not include pre-employment screening examinations.

B) The specific real life cases must reflect a blend of investigative issues. This testing must reflect a balance of at least 5 different types of investigative issues (such as burglary, theft, robbery) and include at least 1 examination involving as the subject either a victim, witness or informant.

3) The trainee must conduct a minimum of 50 actual real life examinations under supervision at least 15 of which must be specific issue examinations. Specific issue examinations test whether a person performed a specific act.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1230.120 Disclosure of Examination Results

- a) An examiner shall prepare a written report of each

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examination administered he administers that which shall contain at least the following information:

- 1) Identity of the subject;
 2) Identity of the client; and
 3) For:

A) Pre-employment pre-employment examinations, the results of the examination; or

B) All ~~per-att~~ other examinations:

iA) A statement of the facts upon which he/she conducted both the pre-test interview with the subject and the examination itself.

iiB) A list of the questions asked on the tests that which were relevant to the issues upon which that the subject agreed to be examined upon.

iiie) His/her conclusion as to truth or deception of the subject's answer to each of the questions listed in the his report.

b) An examiner Examiner shall not include in the his report any conclusion as to the truth or deception of the subject with regard to any matters not submitted by the client for determination.

c) An examiner Examiner shall not report his/her professional conclusion as to truth or deception on a relevant issue without having asked the question relating to that issue at least once in each of 2 two separate tests.

d) If a defense attorney has asked that an examination of his/her client be conducted and later asks that the examiner not issue a written report, an examiner shall not be required to prepare a written report. When the examination is being utilized as part of that attorney's work product, it falls under protected attorney/client privilege. The request must be documented and kept in the file pursuant to Section 1230.130.

e) When retained privately, an examiner shall not be required to prepare a written report when asked not to do so by the client. The request must be noted and kept in the file pursuant to Section 1230.130.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1230.130 Required Records

An examiner Examiner shall, in the case of every examination administered by him/her, maintain a record for at least 5 years which shall contain at least the following:

- a) All material upon which he/she conducted the pre-test interview.
 b) The questions asked of the subject at the pre-test interview and his/her answers.
 c) The examination questions, as formulated at the pre-test interview, and the subject's answers.

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- d) The exact questions asked of the subject at any time during the examination and the subject's answers thereto.
- e) All recordings of the polygraph instrument made during the tests adequately identified as to the order in which the recordings were obtained, the point at which every question was asked and the answer thereto, the identification of each question and any notations indicating changes of the subject's behavior and environmental influence that might affect the polygraph's recordings.
- f) All written consents and acknowledgments of the subject as required by these Rules.
- g) A copy of all examination reports prepared by an examiner.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Illinois Architecture Practice Act of 1989

- 2) Code Citation: 68 Ill. Adm. Code 1150

- 3) Section Numbers: Proposed Action:
 1150.10 Amendment
 1150.20 Repeal
 1150.30 Amendment
 1150.40 Amendment
 1150.60 Amendment
 1150.80 Amendment
 1150.85 Amendment
 1150.Appendix A Amendment

- 4) Statutory Authority: The Illinois Architecture Practice Act of 1989 [225 ILCS 305]

- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking is primarily clean-up in nature. It updates the educational requirements for licensure and removes obsolete language. The examination Section is amended to reflect the new computer-based national examination. Language relating to professional design firms and professional service corporations is being revised and updated. In addition, the language relating to design/build entities has been clarified. Finally, this proposed rulemaking would clarify that those practicing under an exemption from licensure cannot use the title "architect" or any of its derivations unless they hold an active license in this State.

- 6) Will these proposed amendments replace an emergency Rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

Department of Professional Regulation
 Attention: Jean A. Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786
 217/785-0813

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Fax: 217/782-7645

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Those employing licensed architects.
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: Architect skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: July 1997

The full text of the proposed amendment begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1150

ILLINOIS ARCHITECTURE PRACTICE ACT OF 1989

Section

- 1150.10 ~~Category I---Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated After January 1, 1990~~
- 1150.20 ~~Category II - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990 (Repealed)~~
- 1150.30 Application for Licensure by Examination
- 1150.40 Examination
- 1150.50 Approved Architecture Programs
- 1150.60 Licensure by Endorsement
- 1150.65 Inactive Status
- 1150.70 Restoration
- 1150.80 Professional Design Firm
- 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act
- 1150.90 Standards of Professional Conduct
- 1150.95 Architecture Complaint Committee
- 1150.100 Renewals
- 1150.110 Granting Variances
- ILLUSTRATION A Architect Seal Requirements
- APPENDIX A Categories of Diversified Professional Training

AUTHORITY: Implementing the Illinois Architecture Practice Act of 1989 [225 ILCS 305] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Architecture Act, effective May 29, 1975; amended May 12, 1977; codified at 5 Ill. Reg. 11019; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 7658, effective June 15, 1983; amended at 9 Ill. Reg. 5691, effective April 16, 1985; amended at 11 Ill. Reg. 14077, effective August 5, 1987; transferred from Chapter I, 68 Ill. Adm. Code 150 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1150 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2933; amended at 16 Ill. Reg. 3143, effective February 14, 1992; amended at 17 Ill. Reg. 1554, effective January 25, 1993; amended at 18 Ill. Reg. 10736, effective June 27, 1994; amended at 19 Ill. Reg. 16066, effective November 17, 1995; amended at 20 Ill. Reg. 7873, effective May 30, 1996; amended at 21 Ill. Reg. 5928, effective April 24, 1997;

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amended at 22 Ill. Reg. _____, effective _____.

Section 1150.10 Category---I---Education Requirements and Diversified Professional Training Requirements for---Individuals---Whose---Education---Was Initiated-After-January-17-1990

The education and diversified professional training required for examination for licensure under the Illinois Architecture Practice Act [225 ILCS 305] (the Act) are set forth in this Section and Section 1150-20. Applicants initiating their education after January 17, 1990, shall meet the requirements set forth in this Section. Individuals who initiated their training prior to the effective date of this Section may have the training evaluated pursuant to this Section or Section 1150-20.

a) Education Requirements

1) Applicants with a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB):

- A) Bachelor of Architecture degree; or
- B) Master of Architecture degree.

2) Applicants with a degree from a program not accredited by the NAAB:

- A) A pre-professional 4 year baccalaureate degree program in architecture approved by the Board in accordance with Section 1150.50 of this Part, which is accepted for direct entry into a professional Master of Architecture degree program accredited by the NAAB; or
- B) Completion of the education requirements as specified in the National Council of Architectural Registration Boards (NCARB) Education Requirements Circular of Information No. 9, as certified by NCARB. This includes the requirement that applicants with a degree from a program not accredited by the NAAB must complete an Education Evaluation Services for Architects (EESA) Comprehensive Evaluation Report. Applicants may obtain the report from Educational Credential Evaluators, Inc., P.O. Box 92970, Milwaukee, WI 53202-0970.

b) Diversified Professional Training Requirements

1) An applicant must complete either the Intern Development Program (IDP) training requirements (June 1, 1997 to July 1, 1998, no later additions or amendments included) of the National Council of Architectural Registration Boards (NCARB), 1735 New York Avenue, N.W., Suite 700, Washington, D.C. 20006, or the training requirements set forth in this Section. The applicant may satisfy the requirements in effect at the time the training commenced.

2) To satisfy diversified professional training requirements, each applicant must acquire a minimum number of training units based on the education requirements set forth in subsection (b)(3) below. One training unit equals eight hours of acceptable activity. Acceptable activities are set forth in the NCARB IDP

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Guidelines. (A copy of these guidelines is available from the Department or NCARB.) Applicants may earn training units for training acquired through one of three ways:

- A) Participation--experience is acquired--when the applicant actually performs a particular task; or
- B) Observation--experience--is--acquired--when--the--applicant works--under--the--direction--and--control--of--a--licensed architect who is performing the task; or
- C) Supplementary education approved by the Board in accordance with IDP Guidelines.

3) Training units shall be earned in prescribed categories and under requirements set forth in Appendix A of this Part. The required number of training units will vary according to the following educational requirements:

- A) Applicants who meet the educational requirements set forth in subsections subsection (a)(1) and (a)(2)(B) shall complete 700 training units pursuant to Section 1150-Appendix A, Column (1).
- B) Applicants with a pre-professional 4 year baccalaureate degree set forth in subsection (a)(2)(A) shall complete 1170 training units pursuant to Section 1150-Appendix A - Column(2).

4) To satisfy the Illinois Diversified Professional Training requirements, an applicant must have satisfied the IDP training requirements in accordance with Appendix A of this Part. An applicant who has satisfied the training requirements is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the training areas set forth in Appendix A and IDP Guidelines. (An applicant with the required number of training units may nonetheless be denied approval of training if that training is not diversified.) One training unit equals 8 hours of acceptable experience. The following table sets forth the training settings in which training units may be acquired:

MAXIMUM TRAINING

TRAINING SETTINGS

UNITS ALLOWED

TRAINING SETTINGS	UNITS ALLOWED
A) Training in architecture as an employee of an organization when the experience is under the direct supervision of a licensed architect and when the architectural practice in which the applicant works is in the charge of a person practicing as	No Limit

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a principal and encompasses the comprehensive practice of architecture, including each of the categories found in Section 1150.APPENDIX A(a).

B) Training in architecture as an employee of an organization when the experience is under the direct supervision of a licensed architect and when the organization does not encompass the comprehensive practice of architecture, including each of the categories found in Section 1150.APPENDIX A(a).

C) Experience directly related to architecture under direct supervision of a licensed engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction), or a registered landscape architect.

D) Experience other than that noted in (A), (B), or (C) above in activities involving the design and construction of the built environment (such as analysis of existing buildings, planning, programming, design of interior space, review of technical submissions, engaging in building construction activities and the like) when under the direct supervision of a person experienced in the activity.

E) A post-professional degree in architecture or teaching or research in an NAAB-accredited architectural program.

F) Experience in architecture outside the United States or Canada under the direct supervision of a person authorized to practice architecture in that jurisdiction.

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235 in Categories C and D of Section 1150.APPENDIX A(a)

117 in Categories C and D of Section 1150.APPENDIX A(a)

245 in Category D of Section 1150.APPENDIX A(a)

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G) Training that does not fit settings A-F above will receive no credit.

4) All applicants shall utilize NAARB or an equivalent record keeping entity recommended by the Board, approved by the Department, and listed on the application materials to collect, evaluate, and certify all training data and records required for compliance with this Part.

5) Program Requirements

A) No training credits may be earned prior to satisfactory completion of:

i) Three years in an NAAB-accredited professional degree program; or

ii) The third year of a 4 year pre-professional degree program in architecture accepted for direct entry to an NAAB-accredited professional master's degree program; or

iii) One year in an NAAB-accredited professional master's degree program; or

iv) 96 semester credit hours as evaluated by Education Evaluation Services for Architects (EESA) in accordance with NCARB Circular of Information No. 3 of which no more than 60 hours can be in the general education category; or

v) Five education credits in the circumstances described in subsection (a)(1)(A) of this Section in accordance with Circular of Information No. 3. Note: 32 semester credit hours or 48 quarter credit hours shall equal one year in an academic program.

B) No experience used to meet education requirements may be used to earn training credits.

C) To earn credits under subsection (b)(4)(A), (B), (D) or (F), an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under subsection (b)(4)(A) or (B) or at least 20 hours per week for a minimum period of 6 consecutive months.

D) To earn credit under subsection (b)(4)(E), an applicant's credit hours must be in subjects evaluated by NCARB as directly related to architecture; 20 semester credit hours or 30 quarter credit hours of teaching or equivalent time in research will equal one year.

E) A person practices as a "principal" by being:

i) A licensed architect; and

ii) The person in charge of the organization's architectural practice, either alone or with other licensed architects.

F) A "licensed architect" is a person licensed to practice architecture in the jurisdiction in which he/she practices.

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- Force:-
- 4) Any training claimed by an applicant shall be validated by the supervising architect(s) on forms supplied by the Department.
 - 5) Full time employment with an employer of less than 1 month duration shall not be counted toward the training requirements of this Section.
 - 6) Part time employment for periods in excess of 2 consecutive months shall be counted as one half week for each 20 hours of employment.
 - 7) Full time teaching experience of 2 academic years in an approved architecture program will be counted as 1 year training. A maximum of 1 year of training shall be given for teaching experience. Any teaching experience claimed must be validated by the chief administrative officer of the school offering the architectural program.
 - 8) An applicant cannot earn more than 40 hours per week of approved training (over time does not qualify for additional approved training). One year is considered to be a period of 52 weeks with a minimum of 35 hours per week.
 - 9) In lieu of the above training, the Department will accept successful completion of the Intern Development Program of NCARB. Diversified Professional Training Commenced after December 31, 1993, shall meet the following requirements:
 - 1) To satisfy the Illinois Diversified Professional Training requirements, an applicant must have satisfied the IDP training requirements in accordance with Appendix A of this Part. An applicant who has satisfied the training requirements is expected to have been exposed to the comprehensive practice of architecture. Accordingly, each applicant must demonstrate that his or her training has been sufficiently diversified as to include exposure to each of the training areas set forth in Appendix A and IDP Guidelines. (An applicant with the required number of training units may nonetheless be denied approval of training if that training is not diversified.) One training unit equals 8 hours of acceptable experience. The following table sets forth the training settings in which training units may be acquired:

TRAINING SETTINGS	MAXIMUM TRAINING UNITS ALLOWED	No Limit
-------------------	--------------------------------	----------

- A) Training in architecture as
 - as an employee of an
 - organization when the
 - experience is under the
 - direct supervision of a
 - licensed architect and

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- c) All applicants shall utilize NCARB or an equivalent record keeping entity recommended by the Board, approved by the Department, and listed on the application materials to collect, evaluate and certify all training data and records required for compliance with this Part.
- d) The verification of training shall be submitted to the Department at the time of application for examination as an architect.
- e) If the accuracy of any submitted documentation or the relevance or sufficiency of the training is questioned by the Department or the Architect Licensing Board (the Board) because of discrepancies or conflicts in information, a need for additional information or information needing further clarification, the applicant will be requested to provide such information as necessary.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1150.20 Category II - Education Requirements and Diversified Professional Training Requirements for Individuals Whose Education Was Initiated Prior to January 1, 1990 (Repealed)

The education and diversified professional training/experience (training) required for licensure for individuals whose education was initiated prior to January 1, 1990, as required by Section 13 of the Act shall be evaluated under the requirements of this Section.

- a) Education Requirements (and related training required):
 - 1) A 6-year professional degree in architecture from a program accredited by the NAAB plus 2 years of approved training.
 - 2) A 5-year professional degree in architecture from a program accredited by the NAAB plus 3 years of approved training.
 - 3) A pre-professional 4-year baccalaureate degree in architecture from a program acceptable for direct entry into a professional master of architecture degree plus 5 years of approved training.
- b) Diversified Professional Training commenced prior to January 1, 1990 shall meet the following requirements:
 - 1) All training shall be acquired.
 - 2) After completion of 2 years of architecture or architectural related program or after one year in a NAAB-accredited master's degree program; and
 - 3) Under the direct supervision and control (as defined in Section 14 of the Act) of an architect licensed in a jurisdiction of the United States or of America or its territories.
- 2) Approved training consists of successful performance of work relating to professional services described in Section 5 of the Act.
- 3) A candidate shall have training in the office of a licensed architect which may include branches of Federal, State, County and Municipal governments and branches of the United States Armed

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----when the architectural
 ----practice in which the
 ----applicant works (a) is
 ----in the charge of a person
 ----practicing as a principal
 ----and (b) encompasses the
 ----comprehensive practice of
 ----architecture, including
 ----each of the categories
 ----found in Section 1150-
 ----APPENDIX A-(a).

B)-Training in architecture
 ----as an employee of an
 ----organization when the
 ----experience is under the
 ----direct supervision of a
 ----licensed architect and
 ----when the organization
 ----does not encompass the
 ----comprehensive practice of
 ----architecture, including
 ----each of the categories
 ----found in Section 1150-
 ----APPENDIX A-(a).

C)-Experience directly related
 ----to architecture under the
 ----direct supervision of a
 ----licensed engineer
 ----(practicing as a structural
 ----civil, mechanical or electrical
 ----engineer in the field of building
 ----construction) or a registered
 ----landscape architect.

B)-Experience other than (A)-(B) or
 ----(C)-experience
 ----in activities involving the design
 ----and construction of the built
 ----environment (such as analysis of
 ----existing buildings, planning,
 ----programming, design of interior
 ----space, review of technical
 ----submissions, engaging in
 ----building construction
 ----activities and the like)
 ----when under the direct supervision

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----of a person experienced in the
 ----activity.

B)-A post-professional degree
 ----in architecture or teaching
 ----or research in an NAAB-
 ----accredited architectural
 ----program;

P)-Experience in architecture
 ----outside the United States
 ----or Canada under the direct
 ----supervision of a person authorized
 ----to practice architecture in that
 ----jurisdiction

G)-Training that does not fit settings
 ----A-B above will receive no
 ----credit.

2) Program Requirements

- A) No training credits may be earned prior to satisfactory completion of:
- 1) Three years in an NAAB-accredited professional degree program or the third year of a 4-year pre-professional degree program in architecture accepted for direct entry to an NAAB-accredited professional master's degree program; or
 - 1) One year in an NAAB-accredited professional master's degree program; or
 - 1) 96 semester credit hours as evaluated by Education Evaluation Services for Architects (EESA) in accordance with NCARB Circular of Information No. 3 of which no more than 60 hours can be in the general education category; or
 - 1) Five education credits in the circumstances described in subsection (a) of this Section in accordance with Circular of Information No. 3:
- Note: 1) 32 semester credit hours or 40 quarter credit hours shall equal one year in an academic program.
- B) No experience used to meet education requirements may be used to earn training credits.
 - C) To earn credits under subsection (c) (1) (A)-(B) or (B) or (C) an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks under subsection (c) (1) (A) or (B) or at least 20 hours per week for a minimum period of 6 consecutive months.

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in Categories
 B-E and B-of
 Section 1150-
 APPENDIX A-(a)

117

in Categories
 E and B-of Section
 1150-APPENDIX A-(a)

245
 in Category B-of
 Section 1150-
 APPENDIX A-(a)

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- B) ~~to earn credit under subsection (c) of the Board's~~
~~credit hours must be in subjects evaluated by NCARB as~~
~~directly related to architecture, 20 semester credit hours~~
~~or 30 quarter credit hours of teaching or equivalent time in~~
~~research will equal one year.~~
- E) ~~A person practices as a principal by being:~~
~~1) A licensed architect, and~~
~~2) The person in charge of the organization's~~
~~architectural practice, either alone or with other~~
~~licensed architects.~~
- F) ~~A licensed architect is a person licensed to practice~~
~~architecture in the jurisdiction in which he/she practices.~~
~~1) The verification of training shall be submitted to the Department at~~
~~the time of application for examination as an architect.~~
~~2) If the accuracy of any submitted documentation or the relevance or~~
~~sufficiency of the training is questioned by the Department or the~~
~~Board because of discrepancies or conflicts in information, a need for~~
~~additional information or information needing further clarification~~
~~the applicant will be requested to provide such information as~~
~~necessary.~~

(Source: Repealed at 22 Ill. Reg. _____, effective _____)

Section 1150.30 Application for Licensure by Examination

- a) An applicant for licensure as an architect shall file an application on forms supplied by the Department at least 90 days prior to an examination date. The application shall include:
- 1) Proof of having completed the necessary education and training, as required by Section 1150.10 and 1150.20.
 - A) The proof shall be in the form of certifications of education completed by the school, college or university attended, and certification by the supervising architect.
 - B) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the comprehensive evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20;
 - 2) A complete work history indicating all professional architectural experience;
 - 3) Certification ~~if the applicant has ever been licensed in another jurisdiction, certification~~ from the jurisdiction of original licensure and certification from the jurisdiction of predominant

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active practice including the following, if the applicant has ever been licensed in another jurisdiction:

- A) The date of issuance of the applicant's license and the current status of such license;
 - B) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
 - C) Whether the records of the licensing authority contain any record of disciplinary action taken or pending against the applicant;
 - 4) The required fee; and
 - 5) Proof of passage of the Test of English as a Foreign Language (TOEFL) with a minimum score of 550 and the Test of Spoken English (TSE) with a minimum score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.
- b) An applicant shall complete the required training by the date of the application for examination to be permitted to sit for that examination.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1150.40 Examination

- a) The examination for licensure as an architect is a computer based examination ~~administered at least once a year and is prepared by the~~ National Council of Architectural Registration Boards (NCARB).
- b) The examination shall consist of the following divisions content areas:
- 1) Division-A7 Pre-Design;
 - 2) Division-B7 Site Planning Design-Graphic-and-Written;
 - 3) Division-C7 Building Planning Design;
 - 4) Building Technology;
 - 5) Division-D77-Structural-Technology-- General Structures and-Bong Span;
 - 6) 57 Division-E7-Structural-Technology-- Lateral Forces;
 - 7) 67 Division-G7 Mechanical and7-Plumbing7 Electrical and-Acoustical Systems;
 - 8) 77 Division-H7 Materials and Methods; and
 - 9) 87 Division-I7 Construction Documents and Services.
- c) Site Planning, Building Planning and Building Technology are graphic design problems, with all other divisions being a multiple-choice format. All divisions are graded with a score of pass or fail. In order to be successful in the examination, an applicant shall achieve

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- a-converted-score--of--75--or--greater--in--each--Division--except--as indicated in subsection (d)--below.**
- d) An applicant failing a division may repeat that division test 6 months after his or her unsuccessful attempt **Division-C-and-a-portion-of Division-B-are-graphic-design-problems-which-are-graded-in-accordance with-evaluation-criteria-provided-to-applicants-prior-to--the examination--Division-C-is--graded-with-a-score-of-either-pass-or fail.**
- e) All applicants who are in the process of taking the examination formerly administered by the Department shall receive credit for previous examinations passed as follows:

Previous
Examinations
Passed

Credits to Architect
Registration Examination
(ARE) Divisions

Qualifying

Section A Pre-Design (partial credit - see (f) below)
Section B General Structures; Lateral Forces
Section C Materials and Methods
Section D Mechanical & Electrical Systems

Professional

Section A Site Planning; Building Planning;
Building Technology
Section B I Pre-Design (partial credit - see (f) below)
Section B II Pre-Design (partial credit - see (f) below)
Section B III Mechanical & Electrical Systems;
Materials & Methods
Section B IV Construction Documents & Services

ARE (1983-1996)
Version

Division A
Division B (written
& graphic)
Division C

Building Planning; Building
Technology
General Structures
Lateral Forces
Mechanical & Electrical Systems
Materials & Methods
Construction Documents &
Services

Section-A

Division-A-(partial-credit---see-(f))

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Section-B below
Section-C Division-B-P-and-E
Section-D Division-H
Professional DB Division-G
Section-A Divisions-B-and-E
Section-B-I Division-A-(partial-credit---see-(f)-below)
Section-B-II Division-A-(partial-credit---see-(f)-below)
Section-B-III Divisions-G-and-H
Section-B-IV Division-I

- f) In order to receive credit for the Pre-Design Division A of the ARE (1997 Version), an applicant must pass both the Qualifying Examination, Section A, and the Professional Examination, Section B, Parts I and II, or Division A of the ARE (1983-1996 Version).
- g) Since the history and theory of architecture are incorporated into all Divisions of the ARE, no credit will be given for only having passed the Qualifying Test--Section A, History. The only credit awarded for Section A will be partial credit towards the Pre-Design Division A as outlined in subsection (f) above.
- h) In order to be eligible for transfer credits for any part of the Professional Examination--Section B, the candidate must have passed three parts of the examination in one sitting, on or after December 1980.
- i) Applicants shall, in all cases, pass the Pre-Design Division A of the ARE (1997 Version) if they have not passed Section A of the Qualifying Test even though the applicant may have passed the Professional Examination Section B, Parts I and II.
- j) If an applicant fails to pass an examination for licensure under the Act within 6 years after filing an application, the application shall expire and be denied. The applicant may, however, make a new application for examination accompanied by the required fee, and must furnish proof of meeting the qualifications for examination in effect at the time of new application. Scores from divisions of the examination already passed under a previous application shall be carried over and applied to subsequent applications.
- k) Applicants who fail to achieve the required passing score in any division(s) ~~Division(s)~~ of the examination will be afforded unlimited opportunities to repeat the failed parts of the examination.
- l) The provisions of this Section shall be waived for an applicant for licensure as an architect who makes application in form and substance satisfactory to the Department pursuant to the standards set forth in Section 1150.30 and causes to be filed with the Department, in addition to his/her application, proof of successful completion of the NCARB examination administered pursuant to the standards outlined above in another jurisdiction. Such proof of successful completion must be forwarded directly to the Department from the jurisdiction in

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which the examination was taken.

- m) Divisions of the examination passed in another jurisdiction will be accepted toward licensure in this State if the division **Division** was not subsequently failed.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1150.60 Licensure by Endorsement

- a) An applicant who holds an active license or registration to practice architecture under the laws of another state or territory and who desires to become licensed by endorsement shall file an application with the Department together with:

- 1) Either:
 - A) Council Certification, issued by and forwarded directly to the Department by the NCARB; or
 - B) Other Proof of Qualifications and Licensure
 - i) Proof that the applicant has met requirements substantially equivalent to those in force in this State at the time of original or subsequent licensure by written examination in the other state or territory, including certification of education, and affidavits of training.
 - ii) A certification by the state or territory of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the date of issuance of the applicant's license and the current status of each license; the basis of licensure and a description of all examinations by which the applicant was licensed in that state or territory; and the date of passage of any such examinations; and whether the records of the licensing authority contain any record of disciplinary action taken or pending against the applicant;

- 2) The required fee as set forth in Section 19 of the Act;
- 3) A complete work history since graduation from an architecture program;
- 4) Applicants who received their education in a foreign country shall have the education comprehensively evaluated, at their expense, by the Education Evaluator Services for Architects (EESA). Applicants shall obtain the forms from the EESA, Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. The Board will review all transcripts and the evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20; and
- 5) Proof of passage of the Test of English as a Foreign Language

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(TOEFL) with a minimum score of 550 and the Test of Spoken English (TSE) with a minimum score of 50, for applicants who apply after January 1, 1997, who graduated from an architectural program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the architectural program from which the applicant graduated was taught in English.

- b) The Department shall examine each endorsement application to determine whether the requirements in the state or territory of original or subsequent licensure were substantially equivalent to the requirements then in force in this State. The Department shall either issue a license by endorsement to the applicant or notify the applicant in writing of the reason for the denial of the application.

- c) The Department shall, in individual cases, upon recommendation of the Board, waive passage of one or more parts of the examination upon proof that the applicant has been lawfully engaged in the practice of architecture in another jurisdiction for a minimum of five years and has provided evidence demonstrating competence in the area(s) of examination being considered for waiver (i.e., architectural education, training and experience). If an applicant has previously failed to pass a part or parts of the examination, the applicant shall not be granted a waiver for the part or parts pursuant to this provision.

- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of a lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1150.80 Professional Design Firm

- a) Persons who desire to practice architecture in this State in the form of a partnership, limited liability company, business or corporation or professional service corporation, ~~(if the form is a corporation and such corporation was not formed under the Professional Service Corporation Act--f805--f86S--10)~~ or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act (805 ILCS 405)) shall, in accordance with Section 21 of the Act, file an application with the Department, on forms provided by the Department, together

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with the following:

- 1) For Corporations
 - A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, at least two-thirds of the board of directors shall be licensed;
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide architectural services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State issued by the Secretary of State is also required. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration; and
 - C) A certified copy of the resolution adopted by the board of directors designating a member(s) of the board of directors who is an Illinois licensed architect as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.
- 2) For Partnerships.
 - A) An application containing the name of the partnership and its business address and the names of all general partners, with the name of the state in which each is licensed and the license number of each general partner who is licensed as an architect, structural engineer or professional engineer. To qualify under Section 21 of the Act, two-thirds of the general partners shall be licensed in any state or territory.
 - B) A certified copy of the resolution adopted by the general partners designating the general partner(s) who is an Illinois licensed architect(s) as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.
- 3) For Limited Liability Companies.
 - A) An application containing the name of the limited liability company, the business address and the members of the company, the name of the state in which each is licensed as

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an architect and the license number of each member.

- B) A certified copy of the articles of organization or operating agreement designating a member of the company who is an Illinois licensed architect as the managing agent in charge of the architect activities in this State.
- 4) For Professional Service Corporations.
 - A) An application containing the name of the corporation, its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as an architect, structural engineer or professional engineer. To qualify for registration pursuant to Section 12 of the Professional Service Corporation Act [805 ILCS 10/12], at least two-thirds of the board of directors shall be licensed;
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. The purpose clause of the Articles of Incorporation shall designate that the purpose of the corporation is to provide architectural services. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State is required. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration; and
 - C) A certified copy of the resolution adopted by the board of directors designating a member(s) of the board of directors who is an Illinois licensed architect as the managing agent(s) in charge of the architectural activities in this State. The Illinois license number of the architect(s) designated as the managing agent(s) shall also be included in the resolution.
- 5) For Sole Proprietorships. An application containing the name of the sole proprietorship and its business address and the name and license number of the architect who owns and operates the business.
 - 5) A list of all office locations in Illinois at which the corporation, limited liability company, partnership or sole proprietorship provides architectural services.
 - 7) A list of all assumed names used by the corporation, limited liability company, partnership or sole proprietorship.
 - 8) The fee required in Section 19 of the Act.
- 6) Upon receipt of a completed application ~~the above documents~~, the Department shall issue a license authorizing the corporation, limited liability company, partnership or sole proprietorship to engage in the practice of architecture or notify the applicant in writing of the reason for the denial of such application.
- c) Each individual architectural office maintained for the preparation of

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drawings, specifications, reports or other professional work shall have a resident architect(s), licensed in Illinois and regularly employed in that office, having direct supervision and control of such work. Nothing in this Section shall relieve the managing agent(s) in charge of architectural activities in this State of any legal responsibility for the overall supervision of the individual architectural offices.

d) Each corporation, limited liability company or partnership shall be responsible for notifying the Department within 30 days of any changes in:

- 1) The membership of the board of directors, members of the limited liability company or of the general partners; and
- 2) The licensure status of any of the general partners, members of the limited liability company or any of the licensed architect or engineering members of the board or partners.

e) Each corporation, limited liability company or partnership shall be responsible for notifying the Department, in writing, by certified mail, within 10 business days after a termination or change in status of the managing agent(s). Thereafter, the corporation, limited liability company or partnership, if it has so informed the Department, has 30 days to notify the Department of the name and license number of the architect licensed in Illinois who is the newly designated managing agent(s).

f) Failure to notify the Department as required in subsections (d) and (e) or any failure of the corporation, limited liability company or partnership to continue to comply with the requirements of Section 21 of the Act will subject the corporation or partnership to the loss of its license to practice architecture in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by an architect who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application with the Department indicating all assumed names utilized. A sole proprietorship shall notify the Department of any assumed name changes.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act

a) Design/Build

- 1) The design/build project delivery process is a method whereby an entity signs a single contract to provide a combination of architectural and construction services with the architectural services provided by an independent architect licensed to practice architecture in Illinois and a construction firm to

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provide construction services.

2) The design/build entity will not be required to register as a professional design firm pursuant to Section 21 of the Act only if the services in the design/build project delivery process are provided by the entity in accordance with the following:

A) An architect licensed or a professional design firm registered in Illinois independently contracts with the entity and participates substantially in all material aspects of the offering and providing of architectural architecture services relating to any bid process, contract negotiations, design, consultation, development, preparation and coordination of construction documents, and verification of adherence to offering services, a written disclosure shall

B) At the time of offering services, a written disclosure shall be identifying the architect is given to the client by the entity stating that upon awarding of the contract, the architect will be engaged by and is be contractually responsible to the entity offering design/build project services.

C) The entity agrees that the architect will have direct supervision of the architectural work and the architect's services will not be terminated on the project without the immediate replacement by another architect mutually agreed to by the client and the entity.

D) A design/build entity shall not offer to provide or provide architectural services. Offering to provide architectural services shall include, but shall not necessarily be limited to, any tender of architectural services either independently or in combination with construction services by any sign, card, advertisement or other device which might indicate to the public that the entity is entitled to provide architectural services.

b) Architectural Competitions

1) Participants in architectural competitions in Illinois shall comply with the Act. All services, such as preliminary design and design development, are to be prepared by or under the direct supervision and control of an Illinois licensed architect.

2) If an architectural competition is conducted in an academic setting or the project is fictitious and will not be constructed, a person/professional design firm is not required to be licensed in Illinois.

c) Use of Title

1) A person, sole proprietorship, professional service corporation, limited liability company, corporation or partnership, or other entity practicing pursuant to an exemption from licensure contained in Section 3 of the Act shall not use the title "architect" or any of its derivations unless the person or other entity holds an active license as an architect or registration as

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- a professional design firm in this State.
- 2) No person, sole proprietorship, professional service corporation, limited liability company, corporation or partnership, or other entity which practices architecture shall advertise or display any sign or card or other device that might indicate to the public that the person or entity is entitled to practice as an architect or use the title "architect" or any of its derivations unless the person or other entity holds an active license as an architect or registration as a professional design firm in this State.
- 3) No person, without possessing a valid license as an architect issued by the Department, shall in any manner hold himself or herself out to the public as an architect, attach the title "architect" or any of its derivations, or offer to render or render to individuals, corporations, or the public any architectural services as defined in the Act if the word "architect" or any of its derivations are used to describe the person offering to render or rendering them or describe the services rendered or offered to be rendered.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

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Section 1150.APPENDIX A Categories of Diversified Professional Training

- a) Categories of diversified professional training and corresponding minimum training unit requirements in each category are as follows (For Total Training Units required for various educational levels, See Section 1150.10(b)(3)(A) and (B)):

CATEGORY A: DESIGN AND CONSTRUCTION DOCUMENTS (Column 1) (Column 2)		
1) Programming	10	20
2) Site and Environmental Analysis	10	20
3) Schematic Design	15	30
4) Engineering Systems Coordination	15	30
5) Building Cost Analysis	10	20
6) Code Research	15	30
7) Design Development	40	80
8) Construction Documents	135	270
9) Specifications and Materials Research	15	30
10) Document Checking and Coordination	10	20
MINIMUM TRAINING UNIT TOTALS:	350	700

CATEGORY B: CONSTRUCTION ADMINISTRATION

11) Bidding and Contract Negotiation	10	20
12) Construction Phase-Office	15	30
13) Construction Phase-Observation	15	30
MINIMUM TRAINING UNIT TOTALS:	70	140

CATEGORY C: OFFICE MANAGEMENT

14) Project Management	15	30
15) Office Management	10	20
MINIMUM TRAINING UNIT TOTALS:	35	70

CATEGORY D: RELATED ACTIVITIES

16) Professional and Community Service	10	20
MINIMUM TRAINING UNIT TOTALS:	10	20

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Related activities include diversified professional training in energy conservation, computer applications, regional and urban planning, interior design, landscape architecture, construction management, environmental and structural engineering, applied and theoretical research, teaching, historical restoration and professional delineation.

- b) The listing above of required minimums in Categories A, B, C and D totals 465 Training Units (TUs ~~§§~~) [Column (1)] and 930 TUs ~~§§~~ [Column (2)] allowing for the additional TUs ~~§§~~ to be acquired in any of the listed categories. All of the additional TUs ~~§§~~ may be acquired in one category or distributed among the categories.

c) Explanation of Requirements

- 1) TUs ~~§§~~ in categories A, B, C, D and F may be acquired only if the applicant meets the time requirements of Section 1150.10(b)(5)(C) ~~§§~~. Full TU credit is earned for acceptable full-time and part-time employment in the settings described in Section 1150.10(b)(5)(A) ~~§§~~, (B), (C), (D) and (F).

- 2) No TUs ~~§§~~ may be acquired prior to meeting the requirements of Section 1150.20(c)(2)(A).

- 3) Until January 1, 1999, applicants ~~§§~~ with a post-professional degree in architecture or a NAAB accredited Master of Architecture degree qualify for 235 TUs under Category D.

- 4) An IDP applicant may earn TUs ~~§§~~ by completing Board-approved supplementary education programs: Supplementary education cannot be used to satisfy the minimum TU requirements in training areas 1-16. No TUs ~~§§~~ may be earned for supplementary education prior to receiving his or her highest educational degree. (See Section 1150.10(a).)

- 5) The TUs ~~§§~~ which may be earned under (c)(3) and (4) above may not exceed 235 TUs ~~§§~~.

- 6) To satisfy Category A of the training requirements, TUs ~~§§~~ (including TUs ~~§§~~ earned from supplementary education) in those categories must be acquired when employed in the settings described in Section 1150.10(b)(4) ~~§§~~, (B) and (F).

- 7) A minimum of 235 TUs ~~§§~~ must be acquired in the setting described in Section 1150.10(b)(4)(A). ~~§§~~ ~~having-received-his-or-her-highest-educational-degree---~~ (See Section 1150.10(a).)

- 8) In evaluating training, the Board may, prior to licensure, require substantiation of the quality and character of the training, notwithstanding the fact that the IDP applicant has complied with the technical training requirements set forth above.

- 9) For detailed description of the IDP training categories and supplementary education requirements, see IDP Guidelines.

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(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Asbestos Abatement for Public and Private Schools and Commercial and Public Buildings in Illinois

- 2) Code Citation: 77 Ill. Adm. Code 855

- 3) Section Numbers: Proposed Action:

855.10	New Section
855.20	New Section
855.100	New Section
855.110	New Section
855.120	New Section
855.200	New Section
855.210	New Section
855.220	New Section
855.230	New Section
855.240	New Section
855.250	New Section
855.260	New Section
855.270	New Section
855.300	New Section
855.310	New Section
855.320	New Section
855.325	New Section
855.330	New Section
855.340	New Section
855.350	New Section
855.355	New Section
855.360	New Section
855.370	New Section
855.380	New Section
855.390	New Section
855.400	New Section
855.410	New Section
855.420	New Section
855.425	New Section
855.430	New Section
855.440	New Section
855.450	New Section
855.460	New Section
855.465	New Section
855.470	New Section
855.475	New Section
855.480	New Section
855.490	New Section
855.500	New Section
855.510	New Section
855.APPENDIX A	New Section
855.ILLUSTRATION A	New Section

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- | | |
|--------------------|-------------|
| 855.APPENDIX B | New Section |
| 855.ILLUSTRATION A | New Section |
| 855.ILLUSTRATION B | New Section |
| 855.ILLUSTRATION C | New Section |
| 855.ILLUSTRATION D | New Section |
| 855.ILLUSTRATION E | New Section |
| 855.ILLUSTRATION F | New Section |
| 855.ILLUSTRATION G | New Section |
| 855.ILLUSTRATION H | New Section |
| 855.ILLUSTRATION I | New Section |

- 4) Statutory Authority: Authorized by and implementing the Asbestos Abatement Act [105 ILCS 105] and the Commercial and Public Building Asbestos Abatement Act [225 ILCS 207]

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking is an extensive revision to the rules governing asbestos abatement in Illinois to implement changes in Illinois law brought about by the creation of the Commercial and Public Building Asbestos Abatement Act. The Department's current rules, which apply to asbestos abatement in public and private schools only have been proposed for repeal in this issue of the *Illinois Register*. The repealed rules will be replaced with the proposed rules governing all asbestos abatement activities in schools and other commercial and public buildings. The proposed rules include licensing requirements for individuals involved in asbestos work in commercial and public buildings. The responsibilities of project designers and supervisors, as well as work procedures and notification requirements applicable to asbestos abatement projects in commercial and public buildings are also specified in the proposed rules. Specifically, the following changes are made in the proposed rules:

Section 855.10 Incorporation by Reference-Federal Regulations and Other Standards: Updates all dates and federal and State regulations.

Section 855.20 Definitions: Definitions were revised and added to better define terms used in the new rules and definitions were eliminated because of changes to the rules.

Section 855.100 License Requirements: Requirements for licensing of professionals and workers were combined into one Section. The requirements for supervisor were increased requiring 2080 hours of experience as an abatement worker. A supervisor will no longer need to be a licensed asbestos worker.

Section 855.110 Contractor Licensing: Contractor requirements and responsibilities were revised for clarification.

Section 855.120 Training Course Approval and Accreditation: This Section

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was rewritten to reflect the changes in 40 CFR 763 (February 3, 1994).

Section 855.200 Project Designer Responsibilities: The licensing requirements were deleted from this Section and added to Section 855.100. Commercial and public building responsibilities were added to this Section.

Section 855.210 Supervisor Responsibilities: Supervisor requirements were moved to Section 855.100. Commercial and public building responsibilities were added to this Section.

Section 855.220 Procedures and Notifications for Abatement of Asbestos in Commercial and Public Buildings: This Section was added to establish the procedures for notification and conducting asbestos abatement projects in commercial and public buildings.

Section 855.230 Equipment and Waste Container Removal Procedures

Section 855.240 Encapsulation Procedures

Section 855.250 Enclosure Procedures

Section 855.260 Reestablishment of the Work Area and HVAC Systems: Changes were made to these Sections to clarify procedures.

Section 855.270 Emergency Stop Work Orders for Schools and Commercial and Public Buildings: Changes were made to this Section to include commercial and public buildings.

Section 855.300 Local Education Agency (LEA) Requirements: This Section was added for the LEA to be in compliance with 40 CFR 763 (October 30, 1987).

Section 855.310 Procedures for School Inspections and Reinspections: Reinspection requirements were added to this Section.

Section 855.320 Management Planner Responsibilities: The licensing requirements were deleted from this Section and added to Section 855.40.

Section 855.325 Management Plan: Changes were made to this Section for clarification of procedures.

Section 855.330 Operations and Maintenance: The removal of nonfriable floor tile will be allowed without the services of a licensed project designer, project manager, air sampling professional or contractor. The procedure shall be conducted using licensed asbestos workers.

Section 855.340 Project Manager Responsibilities, Air Sampling Professional Responsibilities, and Laboratory Services: Changes to this Section were written to help remove language that has caused several architects to suffer lawsuits from contractors and building owners. The

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project manager and air sampling professional may be combined if the project activities are less than or equal to 10,000 square feet and less than or equal to 1,500 linear feet in one contained area. The licensing requirements were deleted from this Section and added to Section 855.100.

Section 855.350 Submissions and Notices: Licensed persons must have a copy of their initial and current refresher training course certificates at the location where they are conducting work. The other changes were for clarification of procedures.

Section 855.355 Alternative Procedures and Variances: Changes were made to this Section to clarify the variance procedures.

Section 855.360 Demolition of a School Building: Demolition of a school building shall be in compliance with the National Emission Standards for Hazardous Air Pollutants and Occupational Safety and Health Administration. The local educational agency shall notify the Department in writing of the planned demolition. The building that contains asbestos-containing building materials that will be demolished shall be separated from that portion of the building to remain by air tight barriers.

Section 855.370 Workplace Entry and Exit Procedures: Changes were made in this Section for clarification of procedures.

Section 855.380 Building Protection: Changes were made in this Section for clarification of difficult to understand sentences.

Section 855.390 Materials and Equipment: The contractor shall provide instrumentation to permit measurement of the pressure differential barriers. The instrumentation shall permit measurement of pressure differentials to the nearest 0.01 inch of water column.

Section 855.400 Work Area Preparation: Temporary walls and ceilings shall be constructed in accordance with Section 855.430. Each trade shall have a separate lock on the electrical circuit panel. Upholstered furniture and drapes shall be HEPA vacuumed twice before removing from work area. Carpet shall be sampled before and after the project. All materials inside the contained area shall be disposed of as asbestos contaminated material.

Section 855.410 Worker Decontamination Enclosure System: Changes were made to this Section for clarification of procedures.

Section 855.420 Remote Decontamination Enclosure System: This new Section describes when and how a remote decontamination enclosure system is used.

Section 855.425 Equipment Decontamination Enclosure System: Changes were

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made to this Section for clarification of procedures.

Section 855.430 Separation Barriers: This Section was totally rewritten to better explain exactly how the Department expects the temporary barriers to be constructed.

Section 855.440 Maintenance of Decontamination Enclosure System and Workplace Barriers: Changes were made for clarification of difficult to understand language.

Section 855.450 Commencement of Work: The building owner shall notify all parents, faculty and staff of the pending abatement project.

Section 855.460 Removal Procedures: Changes were made to this Section for clarification of procedures.

Section 855.465 Cleanup Procedures: This Section was completely rewritten explaining exactly how the Department expects the cleanup procedures to be performed.

Section 855.470 Clearance Air Monitoring and Analysis: This Section was rewritten to bring the rules in compliance with the 40 CFR 763 (October 30, 1987) concerning clearance air monitoring.

Section 855.475 Disposal Procedures: Changes were made to clarify how the Department wants the disposal procedures carried out.

Section 855.480 Glovebag Procedures: Changes were made to this Section for the clarification of procedures.

Section 855.490 Response Contractor Indemnification Fund (School Projects Only): Changes were made to help clarify what the response action contractor needs to complete before the Department reviews the contract.

Section 855.500 Adverse License Action: Specifies Department action to deny, revoke, or suspend a license issued pursuant to this Part.

Section 855.510 Fines and Penalties: Changes were made to this Section to strengthen areas of the rules that lacked clarity and to include the Commercial and Public Building Asbestos Abatement Act.

Section 855.520 Administrative Hearings: Changes were made to include the Commercial and Public Building Asbestos Abatement Act.

Section 855.APPENDIX A - Project Form

Section 855.ILLUSTRATION A - Worker and Equipment Decontamination System: This was not changed but was in the old rules and regulations.

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Section 855.APPENDIX B - Inspection and Management Plan Forms

The following illustrations contain no changes between the existing rules and the proposed rules:

Section 855.ILLUSTRATION A - Building Inspection for Friable and Nonfriable Materials

Section 855.ILLUSTRATION B - Inspection Report Form

Section 855.ILLUSTRATION C - Sampling Area Diagram (Ceiling and Floor)

Section 855.ILLUSTRATION D - Sampling Area Diagram (Boiler Room)

Section 855.ILLUSTRATION E - Random Sampling Table

Section 855.ILLUSTRATION F - Irregularly Shaped Random Sampling Area

Section 855.ILLUSTRATION G - Regular Shaped Random Sampling Area

Section 855.ILLUSTRATION H - Protocol for Asbestos Management Plan: Changes were made to this illustration to indicate that asbestos inspectors and management planners are required to be licensed by the Department.

Section 855.ILLUSTRATION I - Protocol for Asbestos Management Plan: Changes were made to this illustration for better clarification.

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No

7) Does this Rulemaking Contain an Automatic Repeal Date? No

8) Does this Rulemaking Contain any Incorporation by Reference? Yes

9) Are there any Other Proposed Amendments Pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create a State mandate on units of local government.

11) Time, Place and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the Illinois Register to:

Gail M. DeVito
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217)782-2043
e-mail: rules@dph.state.il.us

In addition, two public hearings will be held at which interested persons may present oral testimony concerning the proposed rules. The Department asks that persons presenting oral testimony also bring a written copy of

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the testimony to the public hearing to be submitted to the hearing officer. These hearings are scheduled as follows:

March 27, 1998	March 31, 1998
10:30 a.m.	10:30 a.m.
Illinois Department of Agriculture	Room N502, 5th Floor
Auditorium	State of Illinois Building
Illinois State Fairgrounds	160 North LaSalle
(enter at Gate 11)	Chicago, Illinois
801 Sangamon Avenue	
Springfield, Illinois	

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses that perform asbestos abatement.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance:

a. Log of inspectors, management planners, project designers, air sampling professionals, project managers, asbestos abatement contractors, supervisors and training course sponsors.

b. Documentation of training to be submitted to the Department by inspectors, management planners, project designers, air sampling professionals, project managers, contractors, supervisors and workers.

C) Types of Professional Skills Necessary for Compliance: Inspector must have experience, management planner must have experience of an inspector and a degree or must be a licensed architect, professional engineer, or structural engineer. Air sampling professional must have a degree and experience. Project designer must be a licensed architect or professional engineer. Project manager, supervisor and contractor must have experience.

13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking appeared on the July 1995 agenda.

The full text of the Proposed Rules begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER P: HAZARDOUS AND POISONOUS SUBSTANCE

PART 855
ASBESTOS ABATEMENT FOR PUBLIC AND PRIVATE
SCHOOLS AND COMMERCIAL AND PUBLIC BUILDINGS IN ILLINOIS

SUBPART A: GENERAL PROVISIONS

Section	Incorporation by Reference-Federal Regulations and Other Standards
855.10	Definitions
855.20	

SUBPART B: LICENSURE AND APPROVAL

Section	
855.100	License Requirements
855.110	Contractor Licensing
855.120	Training Course Approval and Accreditation

SUBPART C: GENERAL ABATEMENT REQUIREMENTS

Section	
855.200	Project Designer Responsibilities
855.210	Supervisor Responsibilities
855.220	Procedures and Notification for Abatement of Asbestos in Commercial and Public Buildings
855.230	Equipment and Waste Container Removal Procedures
855.240	Encapsulation Procedures
855.250	Enclosure Procedures
855.260	Reestablishment of the Work Area and HVAC Systems
855.270	Emergency Stop Work Orders For Schools and Commercial and Public Buildings

SUBPART D: LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES
AND STANDARDS FOR ABATEMENT

Section	
855.300	Local Education Agency (LEA) Requirements
855.310	Procedures for School Inspections and Reinspections
855.320	Management Planner Responsibilities
855.325	Management Plan
855.330	Operations and Maintenance
855.340	Project Manager Responsibilities, Air Sampling Professional Responsibilities and Laboratory Services
855.350	Submissions and Notices
855.355	Alternative Procedures and Variances

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- 855.360 Demolition of a School Building
 855.370 Workplace Entry and Exit Procedures
 855.380 Building Protection
 855.390 Materials and Equipment
 855.400 Work Area Preparation
 855.410 Worker Decontamination Enclosure System
 855.420 Remote Decontamination Enclosure System
 855.425 Equipment Decontamination Enclosure System
 855.430 Separation Barriers
 855.440 Maintenance of Decontamination Enclosure Systems and Workplace Barriers
 855.450 Commencement of Work
 855.460 Removal Procedures
 855.465 Cleanup Procedures
 855.470 Clearance Air Monitoring and Analysis
 855.475 Disposal Procedures
 855.480 Glovebag Procedures
 855.490 Response Contractor Indemnification Fund (School Project Only)

SUBPART E: FINES, PENALTIES AND ADMINISTRATIVE HEARINGS

- Section
 855.500 Adverse Licensure Action
 855.510 Fines and Penalties
 855.520 Administrative Hearings

APPENDIX A Illustration - Project Form

ILLUSTRATION A Worker and Equipment Decontamination Systems

APPENDIX B Illustrations - Inspection and Management Plan Forms

ILLUSTRATION A Building Inspection for Friable and Nonfriable Materials

ILLUSTRATION B Inspection Report Form

ILLUSTRATION C Sampling Area Diagram (Ceiling and Floor)

ILLUSTRATION D Sampling Area Diagram (Boiler Room)

ILLUSTRATION E Random Sampling Table

ILLUSTRATION F Irregularly Shaped Random Sampling Area

ILLUSTRATION G Regular Shaped Random Sampling Area

ILLUSTRATION H Protocol for Asbestos Management Plan

ILLUSTRATION I Outline for Asbestos Management Plan

AUTHORITY: Authorized by and implementing the Asbestos Abatement Act [105 ILCS 105] and the Commercial and Public Building Asbestos Abatement Act [225 ILCS 207].

SOURCE: Adopted at 9 Ill. Reg. 19052, effective November 29, 1985; amended at 10 Ill. Reg. 14800, effective September 12, 1986; emergency amendments at 12 Ill. Reg. 4357, effective February 5, 1988, for a maximum of 150 days; emergency expired July 4, 1988; amended at 13 Ill. Reg. 2768, effective February 16, 1989; amended at 13 Ill. Reg. 17029, effective November 1, 1989;

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emergency amendments at 14 Ill. Reg. 335, effective January 1, 1990, for a maximum of 150 days; emergency expired May 30, 1990; amended at 14 Ill. Reg. 172, effective July 20, 1990; old Part repealed, new Part adopted at 22 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 855.10 Incorporation by Reference-Federal Regulations and Other Standards

- a) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
 b) All citations to federal regulations in this Part concern the specified regulation in the 1997 Code of Federal Regulations, unless another date is specified.
 c) The contractor or person shall comply with the following federal and State regulations and referenced standards:
 1) 23 Ill. Adm. Code 175 and 185.
 2) 29 CFR 1910.1001.
 3) 29 CFR 1910.134.
 4) 40 CFR 61 Subparts A and M.
 5) 40 CFR 763 and Part III - 40 CFR 763 Final Rule Effective December 14, 1987.
 6) 29 CFR 1926.1101 Final Rule Effective October 11, 1994.
 7) Guidance for Controlling Asbestos-Containing Materials in Buildings, Appendix J, EPA Report No. 560/5-85-024 (1985).
 8) National Electrical Code, 1993 Ed., National Fire Protection Association, Quincy, Mass. 02269.
 9) Compressed Gas Association Commodity Specification, G-7.1 (1966).
 10) American National Standard Practices for Respiratory Protection, ANSI Z88.2 (1980).
 11) American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2 (1991).
 12) National Institute of Occupational Safety and Health, Manual of Analytical Methods (Method 7400 - 1984).
 13) U.S. Environmental Protection Agency, Electron Microscope Measurement of Airborne Asbestos Concentrations, Report No. 600/2-77-178 (1978).
 14) U.S. Environmental Protection Agency, Methodology for the Measurement of Airborne Asbestos by Electron Microscopy, Contract No. 68-02-3266 (1984).
 15) National Institute of Occupational Safety and Health, Certified NIOSH Equipment List, Department of Health and Human Services Publication Number 92-101 (1991). Contract No. 68-02-3266 (1984).
 16) 17 Ill. Adm. Code 4180.

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- 17) Part 40 CFR 763, Appendix C to Subpart E, revised April 4, 1994.

Section 855.20 Definitions

"Abatement" means removal, encapsulation, enclosure and repair of asbestos-containing building materials.

"Aggressive Sampling" means a method of sampling in which the person collecting the air sample creates activity during the sampling period to stir up settled dust and simulate the activity of that area of the building.

"AHERA" means the Federal Asbestos Hazard Emergency Response Act, 40 CFR Part 763, Subpart E.

"Air Sampling" means the process of measuring the fiber content of a known volume of air collected during a specific period of time.

"Air Sampling Professional" means the professional contracted or employed by the building owner to conduct air sampling.

"Airlock" means a system for permitting entrance and exit with minimum air movement between a contaminated area and an uncontaminated area, consisting of two curtained doorways separated by a distance of at least three feet such that one passes through one doorway into the airlock, allowing the doorway sheeting to overlap and close off the opening before proceeding through the second doorway, thereby preventing flow-through contamination.

"Amended Water" means water to which a surfactant has been added to improve penetration and reduce fiber release.

"ANSI" means the American National Standards Institute, 1430 Broadway, New York, New York 10018.

"Area Air Sampling" means any form of air sampling or monitoring where the sampling device is placed at some stationary location.

"ACBM" means "Asbestos-Containing Building Material".

"Asbestos-Containing Waste Material" means asbestos-containing material or asbestos-contaminated objects requiring disposal pursuant to Section 855.475.

"Asbestos Professional" means an individual who is licensed by the Department to perform duties of contractor, inspector, management planner, project designer, project manager, project supervisor, or air sampling professional, as applicable.

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"ASTM" means the American Society For Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

"Authorized Visitor" means the building owner and any representative of a regulatory or other agency having jurisdiction over the project.

"Background Level Monitoring" means a method used to determine airborne asbestos fiber concentrations inside and outside a building prior to starting an asbestos abatement project.

"Building Owner" means the person in whom legal title to the premises is vested unless the premises are held in land trust, in which instance the building owner means the person in whom beneficial title is vested.

"Certified Industrial Hygienist (C.I.H.)" means an industrial hygienist certified by the American Board of Industrial Hygiene.

"Clean Room" means an uncontaminated area or room which is a part of the worker decontamination enclosure with provisions for storage of workers' street clothes and protective equipment.

"Clearance Air Monitoring" means the employment of aggressive sampling techniques with a volume of air collected to determine the airborne concentration of residual fibers upon conclusion of an asbestos abatement project.

"Contained Area" means an enclosed work area in a building where negative air pressure and HEPA filtration are used to contain airborne asbestos fibers during removal, enclosure or encapsulation of ACBM during an asbestos abatement project.

"Curtained Doorway" means a device which consists of at least three overlapping sheets of plastic over an existing or temporarily framed doorway. One sheet shall be secured at the top and left side, the second sheet at the top and right side, and the third sheet at the top and left side. All sheets shall have weights attached to the bottom to insure that the sheets hang straight and maintain a seal over the doorway when not in use.

"Decontamination Enclosure System" means a series of connected rooms, separated from each other by air locks, used for the decontamination of workers, materials and equipment.

"Department" or "IDPH" means the Illinois Department of Public Health.

"Designated Person" means a person designated by the local education agency to ensure that the management plan has been properly

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implemented.

"Encapsulant (sealant)" means a liquid material which can be applied to asbestos-containing building material and which temporarily controls the possible release of asbestos fibers from the material, either by creating a membrane over the surface (bridging encapsulant) or by penetrating into the material and binding its components together (penetrating encapsulant).

"Equipment Decontamination Enclosure" means that portion of a decontamination enclosure system designed for the controlled transfer of materials and equipment, consisting of a washroom and a holding area.

"Equipment Room" means a contaminated area or room which is part of the worker decontamination enclosure system with provisions for the storage of contaminated clothing and equipment.

"Fixed Object" means a unit of equipment or furniture in the work area which cannot be removed from the work area.

"Friable" when referring to material in a school building means that the material, when dry, may be crumbled, pulverized, or reduced to powder by hand pressure, and includes previously nonfriable materials after such previously nonfriable material becomes damaged to the extent that, when dry, it may be crumbled, pulverized, or reduced to powder by hand pressure. The term includes nonfriable asbestos-containing materials which will be subjected to sanding, grinding, cutting, abrading, drilling, chipping, pulverizing, or other procedures likely to reduce these materials to a powder or cause asbestos fibers to become airborne. (Section 3(g) of the Asbestos Abatement Act)

"Glovebag" means a manufactured device consisting of a plastic bag (constructed of six-mil transparent plastic or equivalent), two inward-projecting longleeve rubber gloves, one inward-projecting waterwand sleeve, an internal tool pouch, and an attached, labeled receptacle for asbestos waste. The glovebag is constructed and installed in such a manner that it surrounds the object or area to be decontaminated and contains all asbestos fibers released during the removal process.

"Glovebag Technique" means a method for removing friable asbestos-containing building material from heating, ventilation, air conditioning (HVAC) ducts, short piping runs, valves, joints, elbows, and other nonplanar surfaces.

"HEPA" means high efficiency particulate air.

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"HEPA Filter" means a high efficiency particulate air filter capable of trapping and retaining 99.97 percent of particles (asbestos fibers) greater than 0.3 micrometers in mass median aerodynamic equivalent diameter.

"HEPA Vacuum Equipment" means vacuuming equipment with a high efficiency particulate air filter system.

"Holding Area" means an area in the equipment decontamination enclosure located between the washroom and an uncontaminated area.

"Homogeneous Area" means a substance that is uniform in structure and composition throughout which comprises a unique sample area (e.g., boiler insulation is a separate sample area, pipe joint insulation is a separate sample area, corrugated pipe insulation is a separate sample area).

"LEA" means Local Educational Agency.

"Mini-Containment Area" means a contained area in which glovebag procedures are conducted.

"Movable Object" means a unit of equipment or furniture in the work area which can be removed from the work area.

"Negative Air Pressure Equipment" means a portable local exhaust system equipped with HEPA filtration. The system shall be capable of maintaining a constant, low velocity airflow from contaminated areas into adjacent uncontaminated areas, creating a negative pressure differential between the outside and inside of the work area.

"NESHAP" means the National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61).

"NIOSH" means the National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention (CDC) - NIOSH, Building J N.E., Room 3007, Atlanta, GA 30333.

"Nonfriable" means material in a school building which, when dry, may not be crumbled, pulverized, or reduced to powder by hand pressure. (Section 3(s) of the Asbestos Abatement Act)

"Operations and Maintenance" means a program of work practices to maintain friable and nonfriable ACM in good condition, ensure clean up of asbestos fibers previously released, and prevent further release by minimizing and controlling friable ACM disturbance or damage.

"OSHA" means the Occupational Safety and Health Administration, 200

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Constitution Avenue, Washington, DC 20210.

"Outside Air" means the air outside buildings and structures.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, asbestos professional, asbestos worker, public school district, private school or any other entity.

"Personal Air Monitoring" means a method used to determine employees' exposure to airborne fibers. The sample is collected outside the respirator in the worker's breathing zone. This form of sampling is required by the OSHA asbestos standards (29 CFR 1910.1001).

"Plasticize" means to cover floors and walls with plastic sheeting as herein specified or by using spray plastics (as permitted by the Department through a variance request).

"Project" means removal, encapsulation, enclosure or repair of more than three linear feet or three square feet of asbestos-containing building materials.

"Project Activities" means activities taking place when the contractor or his designee and supplies and equipment for asbestos abatement are present at the abatement site.

"Project Design" means the preparation of construction documents including drawings and specifications which establish the scope of the workmanship, equipment, and construction standards of the asbestos project.

"Project Manager" means an individual designated as the building owner's representative who is responsible for overseeing asbestos abatement project activities and shall be licensed by the Department.

"Remote Decontamination Enclosure System" means a decontamination enclosure system which is not connected to the contained area.

"Removal" means the stripping or intentional detachment of any asbestos-containing building materials from surfaces or components of a building or taking out building components.

"Repair" means to rewrap or tape damaged pipe and boiler insulation.

"Response Action Services" means the service of designing and conducting removal, encapsulation, enclosure, repair, or operations and maintenance of friable asbestos-containing building materials, inspection of public or commercial buildings, and inspection of

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asbestos-containing materials. The term does not include the design or conducting of response actions that involve removal or possible disturbance of an amount of asbestos-containing building material comprising less than three square feet, or less than three linear feet of asbestos-containing insulation on pipes or other friable asbestos-containing building material. [225 ICS 207/15]

"School Board" means the corporate body established by law to govern the school district.

"Shall" means the stated provision is mandatory.

"Shower Room" means a room between the clean room and the equipment room in the worker decontamination enclosure with hot and cold running water controllable at the tap and arranged for complete showering during decontamination.

"Shut Down and Lock Out Power" means to switch off all electrical circuit breakers serving power or lighting circuits which run to, or through, the contained area. Label circuit breakers with tape over the breakers with the notation "DANGER circuit breaker being worked on". Lock the electrical door or panel with a separate lock, one key for the supervisor and one key for the project manager. No other personnel shall have keyed access to the electrical power in the contained area.

"Staging Area" means the area near the equipment decontamination enclosure designated for temporary storage of containerized waste prior to removal from the work area.

"Strip" means to remove friable or nonfriable asbestos materials from any part of the facility.

"Structural Member" means any load-supporting member of a facility, such as beams and load-supporting walls, or any nonload-supporting member, such as ceilings and nonload-supporting walls.

"Supervisor" means the contractor, foreman or person designated as the contractor's representative who is responsible for the onsite supervision of the removal, encapsulation, or enclosure of friable or nonfriable asbestos-containing building material in a facility. This individual shall be licensed as an asbestos supervisor.

"Surfactant" means a chemical wetting agent that when added to water will improve penetration and reduce fiber release.

"USEPA" means the Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

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"Visible Emissions" means any emissions containing particulate asbestos material that are visually detectable without the aid of instruments.

"Washroom" means a room between the work area and the holding area in the equipment decontamination enclosure system where equipment and waste containers are wet cleaned or HEPA vacuumed prior to disposal or removal from the work area.

"Wet Cleaning" means the process of eliminating asbestos contamination from building surfaces and objects by using cloths, mops, or other cleaning tools which have been dampened with water, and by afterward disposing of these cleaning tools as asbestos contaminated waste.

"Work Area" means designated rooms, spaces, or areas where any aspect of an abatement project is being conducted.

"Worker Decontamination Enclosure System" means that portion of a decontamination enclosure system designed for controlled passage of workers, other personnel and authorized visitors, consisting of a clean room, a shower room, and an equipment room separated from each other by airlocks and curtained doorways.

SUBPART B: LICENSURE AND APPROVAL

Section 855.100 License Requirements

a) The following requirements apply to licensing of asbestos workers, supervisors, inspectors, management planners, project designers, project managers and air sampling professionals. Applicants desiring to perform asbestos work in public and nonpublic school facilities shall be licensed in the discipline(s) for which they work. Section 20(b) of the Commercial and Public Building Asbestos Abatement Act [225 ILCS 207/20(b)] requires only workers, supervisors, inspectors and project designers to be licensed by the Department. Employees of the Illinois Department of Public Health, the Illinois Capital Development Board, and the Illinois Environmental Protection Agency are exempt from licensure fees when licenses are used only for purposes related to their agency employment.

b) Asbestos worker licenses expire on February 1 of each year, except that licenses issued after October 31 shall expire on February 1 of the following year. Asbestos project supervisor, inspector, management planner, project designer, project manager and air sampling professional licenses expire on May 15 of each year except that licenses issued after January 15 shall expire on May 15 of the following year. License applicants shall:

- 1) Be at least 18 years of age.
- 2) Submit a completed and signed application form provided by the

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Department. Address changes shall be submitted in writing.

3) Submit two 1" X 1" photographs (head and shoulders only) for proper identification of the licensee. The photographs shall be original, clear, current, and color pictures of the applicant with the name printed on the back.

4) Meet the certificate accreditation requirements of subsection (j) of this Section.

5) Meet the specific requirements for licensure contained in subsections (c) through (i), as relevant.

c) License requirements for an asbestos worker.

1) Submit a \$25.00 application fee.

2) Successfully complete a Department accredited asbestos worker initial training course or IDPH accredited initial contractor/supervisor training course. If the initial course certificate has expired, the applicant shall successfully complete the same type (worker or contractor/supervisor) of IDPH accredited refresher course as the initial course.

d) License requirements for an asbestos supervisor.

1) Submit a \$75.00 application fee.

2) Submit written verification of a minimum of 2,080 hours experience as a licensed asbestos worker.

3) Successfully complete a Department accredited contractor/supervisor initial training course. If the initial course certificate has expired, the applicant shall successfully complete a Department accredited contractor/supervisor refresher course.

e) License requirements for an asbestos inspector.

1) Submit a \$50.00 application fee.

2) Submit written verification of a minimum of 1,040 hours of experience inspecting buildings for asbestos-containing building materials, or a minimum of 3,120 hours of experience in direct planning of construction projects and/or construction project inspection.

3) Successfully complete a Department accredited inspector initial training course. If the initial course certificate has expired, the applicant shall successfully complete a Department accredited inspector refresher course.

f) License requirements for an asbestos management planner.

1) Submit a \$50.00 application fee.

2) Successfully complete IDPH accredited inspector and management planner initial training courses. If the initial course certificates have expired, the applicant shall successfully complete IDPH accredited inspector and management planner refresher courses.

3) Submit a current copy of either an Illinois Architectural License, an Illinois Professional Engineer License, an Illinois Structural Engineer License, or an Illinois Industrial Hygienist License; or

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- 4) Submit a copy of a transcript and evidence of completion of a Bachelor's Degree or higher in architecture, engineering, mathematics or science, and meet the experience requirements of a licensed inspector; or
- 5) Submit a copy of a transcript and evidence of completion of a Bachelor's Degree and written verification of 2,080 hours of experience in asbestos inspections, project management, project design or other asbestos management and control activities.
- g) License requirements for an asbestos project designer.
 - 1) Submit a \$50.00 application fee.
 - 2) Submit a current copy of either an Illinois Architectural License, an Illinois Professional Engineer License, an Illinois Structural Engineer License, or an Illinois Industrial Hygienist License.
 - 3) Successfully complete a Department accredited initial project designer training course. If the initial course certificate has expired, the applicant shall successfully complete a Department accredited project designer refresher course.
- h) License requirements for an asbestos project manager.
 - 1) Submit a \$50.00 application fee.
 - 2) Submit written verification of 2,080 hours of on-site work experience in building construction projects or 520 hours of on-site work experience assisting a licensed project manager on asbestos abatement projects.
 - 3) Successfully complete a Department accredited contractor/supervisor initial training course. If the initial course certificate has expired, the applicant shall successfully complete a Department accredited contractor/supervisor refresher course.
- i) License requirements for an asbestos air sampling professional.
 - 1) Submit a \$50.00 application fee.
 - 2) Submit a certificate of successful completion of the NIOSH course #582 "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.
 - 3) Submit a copy of a transcript and evidence of obtaining a Bachelor's Degree in the life, environmental or physical sciences or in engineering. In lieu of a degree, Certified Industrial Hygienists may submit a copy of their Illinois Industrial Hygienist License.
 - 4) Written verification of 520 hours on-site experience in general indoor air pollution sampling; or in lieu of the degree required by subsection (i)(3), written verification of 2,080 hours on-site experience in air sampling for asbestos abatement projects.
- j) Certificate Accreditation Requirements.

All applicants for licensure shall successfully complete a training course accredited by the Illinois Department of Public Health. Licensees are required to maintain current accreditation in the discipline for which they are licensed. If the accreditation expires,

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- the license shall automatically expire concurrently therewith and without notice. In order for the current license to be reinstated, the applicant shall successfully complete a Department accredited refresher course. Updates of refresher courses will be made electronically to the licensee's file through information from class lists submitted to the Department by the IDPH accredited training course providers. Certificates of training from Illinois accredited training course providers for renewal applicants do not need to be submitted to the Department unless specifically requested by the Department. A refresher course shall be completed annually. If a course certificate has been expired for more than one year from the expiration date, the applicant shall retake a Department accredited initial training course. It is the licensee's responsibility to keep the course certificates current and maintain copies of all certificates for their use. The Department shall verify the successful completion of a Department accredited training course by the license applicant with the IDPH accredited training course provider before the license is issued.
- k) Renewal of licenses.
 - 1) All renewal applicants shall submit a completed and signed renewal application form provided by the Department and two 1" x 1" photographs (head and shoulders only). The photographs shall be original, clear, current, and color pictures of the applicant with the name printed on the back.
 - 2) All renewal applicants shall have successfully completed a current refresher course in the same discipline as their initial course and meet the requirements of subsection (j) of this Section.
 - 3) An asbestos worker renewal applicant shall submit a \$25.00 renewal application fee. If a renewal application fee is received after December 31, the applicant shall pay a late fee of \$15.00 in addition to the renewal fee of \$25.00.
 - 4) An asbestos supervisor renewal applicant shall submit a \$75.00 renewal application fee. If the renewal application is received after April 15, the applicant shall pay a \$15.00 late fee in addition to the renewal fee of \$75.00.
 - 5) A renewal applicant for asbestos inspector, management planner, project designer, project manager or air sampling professional licenses shall submit a \$50.00 renewal application fee per license discipline. If a renewal application fee is received after April 15, the applicant shall pay a \$15.00 late fee for each discipline in addition to the \$50.00 renewal fee for each discipline.
 - 6) If a management planner, project designer or air sampling professional is initially licensed with an Illinois Architectural License, an Illinois Professional Engineer's License, an Illinois Structural Engineer's License, or an Illinois Industrial Hygienist's License, the applicant shall submit a current copy of

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such license.

- 7) If a project designer was initially licensed with an Industrial Hygienist Certificate, the licensee shall submit a current Illinois Industrial Hygienist License.

- 1) Reinstatement of Licenses. An applicant whose license has been expired for more than one year may apply to the Department for reinstatement. The applicant shall:

- 1) Submit a completed and signed application form provided by the Department.
- 2) Submit two 1" X 1" photographs of the applicant (head and shoulders only). The photographs shall be original, clear, current and color pictures with the name printed on the back.
- 3) Meet the accreditation requirements of subsection (j) of this Section.

- 4) Asbestos workers shall submit an initial application fee of \$25.00 plus a reinstatement fee of \$50.00. Supervisors shall submit an initial application fee of \$75.00 plus a reinstatement fee of \$150.00. Inspectors, management planners, project designers, project managers, and air sampling professionals shall submit an initial application fee of \$50.00 plus a reinstatement fee of \$100.00 per type of license.

- m) Duplicate license requirements. The applicant shall submit a written request for a duplicate license, a \$15.00 fee, and a 1" X 1" photograph of the applicant. The photograph shall be an original, clear, current and color picture with the name printed on the back. A duplicate license will not be issued if the IDPH accredited training course certificate has expired.

- n) Reciprocity. Out of state residents applying for initial licensure in Illinois may receive reciprocity by submitting USEPA or other state accredited initial training course certificates and meeting the license requirements of this Section. If the initial course certificates are expired, the applicant shall also submit refresher course certificates for all preceding years. Reciprocity of Architectural and Engineering licenses are under the jurisdiction of the Illinois Department of Professional Regulation.

- o) While conducting asbestos work which requires a license, the initial course certificates, the current refresher course certificates and the license shall be in the person's possession at the work site. (A clear copy of the certificates may be substituted for the original certificates, but not the license.)

Section 855.110 Contractor Licensing

- a) The Department shall prepare and maintain a list of licensed asbestos abatement contractors. The list shall be made available upon request to all school boards or building owners and shall be used to select an asbestos abatement contractor. The contractor shall possess the qualifications detailed in subsection (b).

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- b) In order to qualify as a licensed asbestos abatement contractor, a company shall submit the following information to the Department:

- 1) A completed application provided by the Department accompanied by a \$250.00 nonrefundable fee for the initial review.
- 2) A certificate documenting that the contractor carries liability insurance from a company with at least an "A" rating according by A.M. Best & Co., self insurance, group insurance, or group self insurance in an amount of at least \$1,000,000 (first dollar coverage) for work performed pursuant to the Act and this Part. Each asbestos abatement contractor shall maintain on file with the Department a current certificate of financial responsibility throughout the entire length of time the contractor's name appears on the Department's list of approved contractors. An asbestos abatement contractor shall notify the Department of any change in the status of the certificate that has been filed including expiration, renewal, cancellation, or alteration of the terms by endorsement of the certificate [225 ILCS 207/45]. The certificate documenting evidence of insurance shall be the original and shall state that the insurance covers asbestos abatement. The certificate shall be issued by an insurance company that is authorized to do business in Illinois. The certificate shall be submitted to the Department within 48 hours after the expiration date of the certificate on file. If the Department does not receive the above mentioned certificate documenting evidence of insurance, the asbestos abatement contractor will be subject to suspension of his/her license until an acceptable certificate is received.
- 3) A copy of the designated supervisor's valid IDPH asbestos supervisor's license.
- 4) Evidence that IDPH licensed asbestos workers will be employed on all asbestos abatement projects as required by Section 855.100.
- 5) A list of prior contracts for asbestos abatement projects, including dates and the names, addresses, and telephone numbers of building owners for whom the projects were performed. A contractor shall have a minimum of one year of experience in asbestos abatement project supervision, or shall employ a supervisor with a minimum of one year of experience in asbestos abatement project supervision. Evidence of experience must accompany the application.
- 6) Evidence of air monitoring data taken during and after completion of previous asbestos abatement projects in accordance with 29 CFR 1910.1001(d). This evidence shall include cleared air monitoring results from 10 different contracted asbestos abatement projects. Evidence of air monitoring data must have the name of the company that analyzed the final air monitoring results. All final results shall be below .01 fibers/cubic centimeter (f/cc). If an applicant is employing a supervisor with a year of experience of asbestos removal supervision, the

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air monitoring results shall be from projects that person has supervised.

7) A copy of the written standard operating procedures and employee protection plans, including specific reference to OSHA medical monitoring and respirator training programs as required in 29 CFR 1910.1001.

8) A description of any asbestos abatement projects which were prematurely terminated or not completed, including the circumstances surrounding termination, or a signed statement that there were no such projects.

9) A list of any contractual penalties which the contractor has paid for breach or noncompliance with contract specifications, such as overruns of completion time or liquidated damages, or a signed statement that there were no such penalties.

10) Copies of any and all citations levied against the contractor or any of his/her past or present employees or companies by any federal, state or local government agency for violations related to asbestos abatement, including names and locations of the projects, the date(s), and a description of how the allegations were resolved, or a signed statement that there were no such citations.

11) A description detailing all legal proceedings, lawsuits or claims which have been filed or levied against the contractor or any of his/her past or present employees or companies for asbestos-related activities, or a signed statement that there was no such legal action.

12) The contractor shall identify whether it is a sole proprietorship, partnership or corporation and identify its agent and mailing address for service of process by the Department. Additionally, if applicable, the contractor shall provide the following information to the Department:

A) Partnerships:

i) If the contractor is a partnership it shall identify the general and limited partners by name, together with their addresses and percentage of ownership interest.

ii) If the contractor is a limited liability partnership pursuant to the provisions of Section 8.1 of the Uniform Partnership Act [805 ILCS 205/8.1], it shall file annually with the Department a copy of the application, or renewal application, required to be filed with the Illinois Secretary of State.

B) Corporation: If the contractor is a corporation, either foreign or domestic, it shall file with the Department a copy of its articles of incorporation which shall include all information required by Section 2.10 of the Business Corporation Act of 1983 [805 ILCS 5/2.10] and annually thereafter a copy of the annual report which is required to

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be filed with the Illinois Secretary of State pursuant to Section 14.05 of the Business Corporation Act of 1983 [805 ILCS 5/14.05].

c) All licenses shall expire on May 15 of each year except licenses issued after January 15 shall expire on May 15 of the following year. The fee for the issuance of a duplicate license shall be \$15.00.

d) Successful applicants shall be notified to submit to the Department an additional \$500.00 fee for a license and for inclusion on the list of IDPH licensed contractors.

e) Renewal of License. Any license issued pursuant to this Part may be renewed if the licensee submits a completed renewal application form provided by the Department and the \$500.00 renewal fee. A current original certificate documenting evidence of insurance shall be filed with IDPH before the license is issued. The designated supervisor listed on the renewal application shall be a currently licensed IDPH supervisor. If a renewal application is received after April 15, the applicant shall pay a late fee of \$100.00 in addition to the renewal fee of \$500.00.

f) Reinstatement of License. An applicant whose license has been expired for more than one year may apply to the Department for reinstatement of the license. The Department shall reinstate the license provided the applicant submits:

1) A completed application form provided by the Department.

2) A current certificate of financial responsibility meeting the requirements of subsection (b)(2).

3) A copy of the designated supervisor's current IDPH supervisor license.

4) The renewal fee of \$500.00 plus a reinstatement fee of \$500.00 for the first year and \$1,000.00 for more than two years and less than five years. If a contractor license has been expired for more than five years, the contractor shall reapply and follow the criteria of subsection (b).

g) The Department shall provide written notice, via certified mail, of its decision to deny, suspend or revoke a contractor's license. The applicant or licensee shall have 15 days to make a written request for an administrative hearing to contest the Department's decision. The Department's decision to deny, suspend, or revoke a license shall be based upon the following reasons:

1) Conviction, of a felony or two or more misdemeanors involving fraudulent activities, or of violations of laws relating to construction or the building trades in general, in the last five years:

A) of the contractor; or

B) if the contractor is a firm, partnership, or association, of any of its members; or

C) if a corporation, of any of its officers or directors; or

D) of any person designated to manage or supervise the asbestos abatement activities.

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- 2) The licensure status or record, in Illinois or from any other state where the applicant has done business in a similar capacity, that indicates that the applicant has conducted asbestos abatement projects in a manner hazardous to the public health:
 - A) of the contractor; or
 - B) if the applicant is a firm, partnership, or association, of any of its members; or
 - C) if a corporation, of any of its officers or directors; or
 - D) of any person designated to manage or supervise the asbestos abatement activities.
- 3) The contractor has failed to complete an asbestos abatement project due to insufficient financial resources.
- 4) Violation of any provision of the Asbestos Abatement Act or the Commercial and Public Building Asbestos Abatement Act, or of any provision of this Part.
- 5) Submission of fraudulent documentation to the Department or to a building owner or representative or agent thereof.

Section 855.120 Training Course Approval and Accreditation

In accordance with Section 10a of the Asbestos Abatement Act and Section 35 of the Commercial and Public Building Asbestos Abatement Act, the following are minimum standards of course curricula for approval of training course providers to conduct worker, contractor/supervisor, inspector, management planner and project designer accredited courses.

- a) The Department shall develop a list of all Illinois approved training course providers and the courses they are accredited to teach and make this list available upon request.
- b) Any educational institution or other person may apply for accreditation of an initial or refresher training course by submitting the following for each type of training course for which accreditation by the Department is sought.
 - 1) A completed application form provided by the Department.
 - 2) A \$500.00 application fee per each type of course for which the provider is seeking accreditation. A check or money order must be made payable to the Illinois Department of Public Health.
 - 3) A list of other states that currently approve the training course, if any.
 - 4) A copy of USPPA or state approval letter(s). (Required for training courses previously approved by USPPA or other states.)
 - 5) A description of the course.
 - 6) A detailed outline of the course curriculum and the amount of time allotted to each topic.
 - 7) A description of the teaching methods to be used to present each topic (i.e., lectures, discussions, demonstrations and audio-visual materials).
 - 8) A copy of course materials, student manuals, instructor manuals,

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- and any handouts that cover the information specified in subsection (c).
- 9) A copy of the examination and answer key as required in subsection (g).
 - 10) A list of instructors and a completed instructor's application for each instructor as required in subsection (j).
 - 11) A copy of the course certificate as required in subsection (f).
 - 12) A statement of the length of training, in days.
 - 13) A description of the type of hands-on training.
- c) Training requirements for each of the licensed disciplines are outlined below:
- 1) Worker Course. The four-day worker training course shall include lectures, demonstrations, at least 14 hours of hands-on training, individual respirator fit testing, course review, and a closed-book written examination. Hands-on training must permit workers to have actual experience performing tasks associated with asbestos abatement. The asbestos worker training course shall adequately address the following topics:
 - A) Physical characteristics of asbestos. Identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, and a summary of abatement control options.
 - B) Potential health effects related to asbestos exposure. The nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency periods for asbestos-related diseases; a discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancers of other organs.
 - C) Employee personal protective equipment. Classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal (positive and negative pressure fit checks); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors that alter respiratory fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing; and regulations covering personal protective equipment.
 - D) State-of-the-art work practices. Proper work practices for asbestos abatement activities, including descriptions of proper construction; maintenance of barriers and decontamination enclosure systems; positioning of warning signs; lock-out of electrical and ventilation systems;

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proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure exhaust ventilation equipment; use of high-efficiency particulate air (HEPA) vacuums; proper clean-up and disposal procedures; work practices for removal, encapsulation, enclosure, and repair of ACM; emergency procedures for sudden releases; potential exposure situations; transport and disposal procedures; and recommended and prohibited work practices.

E) Personal hygiene. Entry and exit procedures for the work area; use of showers; avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area; and potential exposures, such as family exposure.

F) Additional safety hazards. Hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips, and falls, and confined spaces.

G) Medical monitoring. OSHA and USEPA Worker Protection Rule requirements for physical examinations, including a pulmonary function test, chest X-rays, and a medical history for each employee.

H) Air monitoring. Procedures to determine airborne concentrations of asbestos fibers, focusing on how personal air sampling is performed and the reasons for it.

I) Relevant federal, State, and local regulatory requirements, procedures, and standards, with particular attention directed at relevant USEPA, OSHA, and State regulations concerning asbestos abatement workers.

J) Establishment of respiratory protection programs.

K) Course review. A review of key aspects of the training course.

2) Contractor/Supervisor Course. The five-day contractor/supervisor training course shall include lectures, demonstrations, at least 14 hours of hands-on training, individual respirator fit testing, course review, and a closed-book written examination. Hands-on training shall permit supervisors to have actual experience performing tasks associated with asbestos abatement. The contractor/supervisor training course shall adequately address the following topics:

A) Physical characteristics of asbestos and ACM. Identification of asbestos, aerodynamic characteristics, typical uses, physical appearance, a review of hazard assessment considerations, and a summary of abatement control options.

B) Potential health effects related to asbestos exposure. The nature of asbestos-related diseases; routes of exposure; dose-response, relationships and the lack of a safe exposure level; the synergism between cigarette smoking and asbestos

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exposure; and latency periods for diseases.

C) Employee personal protective equipment. Classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal (positive and negative pressure fit checks); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors that alter respiratory fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing; and regulations covering personal protective equipment.

D) State-of-the-art work practices. Proper work practices for asbestos abatement activities, including descriptions of proper construction and maintenance of barriers and decontamination enclosure systems; positioning of warning signs; lock-out of electrical and ventilation systems; proper working techniques for minimizing fiber release; use of wet methods; use of negative pressure exhaust ventilation equipment; use of HEPA vacuums; and proper clean-up and disposal procedures, work practices for removal, encapsulation, enclosure, and repair of ACM; emergency procedures for unplanned releases; potential exposure situations; transport and disposal procedures; and recommended and prohibited work practices. New abatement-related techniques and methodologies may be discussed.

E) Personal hygiene. Entry and exit procedures for the work area; use of showers; avoidance of eating, drinking, smoking, and chewing (gum or tobacco) in the work area. Potential exposures, such as family exposure, shall also be included.

F) Additional safety hazards. Hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire and explosion hazards, scaffold and ladder hazards, slips, trips, and falls, and confined spaces.

G) Medical monitoring. OSHA and USEPA Worker Protection Rule requirements for physical examinations, including a pulmonary function test, chest X-rays, and a medical history for each employee.

H) Air monitoring. Procedures to determine airborne concentrations of asbestos fibers, including descriptions of aggressive air sampling, sampling equipment and methods, reasons for air monitoring, types of samples and interpretation of results.

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- I) Relevant federal, State, and local regulatory requirements, procedures, and standards, including:
- i) Requirements of Toxic Substance Control Act (TSCA) Title II.
 - ii) National Emission Standards for Hazardous Air Pollutants (40 CFR 61), Subparts A (General Provisions) and M (National Emission Standards for Asbestos).
 - iii) Occupational Safety and Health Administration (OSHA) standards for permissible exposure to airborne concentrations of asbestos fibers and respiratory protection (29 CFR 1910.134).
 - iv) OSHA Asbestos Construction Standard (29 CFR 1926.1101)
 - v) EPA Worker Protection Rule (40 CFR 763, Subpart G).
 - vi) Illinois Asbestos Abatement Act and Code.
 - vii) Illinois Commercial and Public Building Asbestos Abatement Act.
 - viii) 40 CFR 763, Appendix C to Subpart E, revised April 4, 1994.
- J) Respiratory protection programs and medical monitoring programs.
- K) Insurance and liability issues. Contractor issues; worker's compensation coverage and exclusions; third-party liabilities and defenses; insurance coverage and exclusions.
- L) Recordkeeping for asbestos abatement projects. Records required by federal, State, and local regulations; records recommended for legal and insurance purposes.
- M) Supervisory techniques for asbestos abatement activities. Supervisory practices to enforce and reinforce the required work practices and discourage unsafe work practices.
- N) Contract specifications. Discussions of key elements that are included in contract specifications.
- O) Course review. A review of key aspects of the training course.
- 3) Inspector Course. The three-day inspector training course shall include lectures, demonstrations, four hours of hands-on training, individual respirator fit testing, course review, and a closed-book written examination. Hands-on training shall include conducting a simulated building walk-through inspection and respirator fit testing. The inspector training course shall adequately address the following topics:
- A) Background information on asbestos. Identification of asbestos and examples and discussion of the uses and locations of asbestos in buildings; physical appearance of asbestos.
 - B) Potential health effects related to asbestos exposure. The nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure

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- level; the synergistic effect between cigarette smoking and asbestos exposure; the latency periods for asbestos-related diseases; a discussion of the relationship of asbestos exposure to asbestosis, lung cancer, mesothelioma, and cancers of other organs.
- C) Functions/qualifications and role of inspectors. Discussions of prior experience and qualifications for inspectors and management planners; discussions of the functions of an accredited inspector as compared to those of an accredited management planner; discussion of the inspection process including inventory of ACM and physical assessment.
- D) Legal liabilities and defenses. Responsibilities of the inspector and management planner; a discussion of comprehensive general liability policies, claims-made, and occurrence policies; environmental and pollution liability policy clauses; State liability insurance requirements; bonding and the relationship of insurance availability to bond availability.
- E) Understanding building systems. The interrelationship between building systems, including: an overview of common building physical plant layout; heat, ventilation, and air conditioning (HVAC) system types, physical organization, and where asbestos is found on HVAC components; building mechanical systems, their types and organization, and where to look for asbestos on such systems; inspecting electrical systems, including appropriate safety precautions; reading blueprints and as-built drawings.
- F) Public/employee/building occupant relations. Notifying employee organizations about the inspection; signs to warn building occupants; tact in dealing with occupants and the press; scheduling of inspections to minimize disruptions; and education of building occupants about actions being taken.
- G) Pre-inspection planning and review of previous inspection records. Scheduling the inspection and obtaining access; building record review; identification of probable homogeneous areas from blueprints or as-built drawings; consultation with maintenance or building personnel; review of previous inspection, sampling, and abatement records of a building; the role of the inspector in exclusions for previously performed inspections.
- H) Inspecting for friable and nonfriable ACM and assessing the condition of friable ACM. Procedures to follow in conducting visual inspections for friable and nonfriable ACM; types of building materials that may contain asbestos; touching materials to determine friability; open return air plenums and their importance in HVAC systems; assessing

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damage, significant damage, potential damage, and potential significant damage; amount of suspected ACBM, both in total quantity and as a percentage of the total area; type of damage; accessibility; potential for disturbance; known or suspected causes of damage or significant damage; and deterioration as assessment factors.

- I) Bulk sampling/documentation of asbestos. Detailed discussion of the "Simplified Sampling Scheme for Friable Surfacing Materials (EPA 560/5-85-030a October 1985)"; techniques to ensure sampling in a randomly distributed manner for other than friable surfacing materials; sampling of nonfriable materials; techniques for bulk sampling; inspector's sampling and repair of equipment; patching or repair of damage from sampling; discussion of polarized light microscopy; choosing an accredited laboratory to analyze bulk samples; quality control and quality assurance procedures.
- J) Inspector respiratory protection and personal protective equipment. Classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal (positive and negative pressure fit checks); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors that alter respiratory fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing.
- K) Recordkeeping and writing the inspection report. Labeling of samples and keying sample identification to sampling location; recommendations on sample labeling; detailing of ACBM inventory; photographs of selected sampling areas and examples of ACBM condition; information required for inclusion in the management plan required for school buildings under TSCA Title II, Section 203(i)(1).
- L) Regulatory review. The following topics should be covered:
 - i) National Emission Standards for Hazardous Air Pollutants (NESHAP; 40 CFR 61, Subparts A and M);
 - ii) USEPA Worker Protection Rule (40 CFR 763, Subpart G);
 - iii) OSHA Asbestos Construction Standard (29 CFR 1926.1101);
 - iv) OSHA Respirator Requirements (29 CFR 1910.134);
 - v) The Friable Asbestos in Schools Rule (40 CFR 763, Subpart F);
 - vi) Illinois Asbestos Abatement Act and Code;
 - vii) Illinois Commercial and Public Building Asbestos Abatement Act;

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- viii) 40 CFR 763, Appendix C to Subpart E, revised April 4, 1994.
- M) Field trip. This includes a field exercise, including a walk-through inspection; on-site discussion about information gathering and the determination of sampling locations; on-site practice in physical assessment; classroom discussion of field exercise.
- N) Course review. A review of key aspects of the training course.
- 4) Management Planner Course. The two-day management planner training course shall include lectures, demonstrations, course review, and a closed-book written examination. The management planner training course shall adequately address the following topics:
 - A) Course overview. The role and responsibilities of the management planner; operations and maintenance programs; setting work priorities; protection of building occupants; key elements of a management plan.
 - B) Evaluation/interpretation of survey results. Review of TSCA Title II requirements for inspection and management plans for school buildings as given in Section 203 (i)(1) of TSCA Title II; interpretation of field data and laboratory results; comparison of field inspector's data sheet with laboratory results and site survey.
 - C) Hazard assessment. Amplification of the difference between physical assessment and hazard assessment; the role of the management planner in hazard assessment; explanation of significant damage, damage, potential damage, and potential significant damage; use of a description (or decision tree) code for assessment of ACBM; assessment of friable ACBM; relationship of accessibility, vibration sources, use of adjoining space, and air plenums and other factors to hazard assessment.
 - D) Legal implications. Liability; insurance issues specific to planners; liabilities associated with interim control measures, in-house maintenance, repair and removal; use of results from previously performed inspections.
 - E) Evaluation and selection of control options. Overview of encapsulation, enclosure, interim operations and maintenance, and removal; advantages and disadvantages of each method; response actions described via a decision tree or other appropriate method; work practices for each response action; staging and prioritizing of work in both vacant and occupied buildings; the need for containment barriers and decontamination in response actions.
 - F) Role of other professionals. Use of industrial hygienists, engineers, and architects in developing technical specifications for response actions; any requirements that

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may exist for architect sign-off of plans; team approach to design of high-quality job specifications.

- G) Developing an operations and maintenance (O & M) plan. Purpose of the plan; discussion of applicable USEPA guidance documents; what actions should be taken by custodial staff; proper cleaning procedures; steam cleaning and HEPA vacuuming; reducing disturbance of ACM; scheduling O & M for off-hours; rescheduling or canceling renovation in areas with ACM; boiler room maintenance; disposal of ACM; in-house procedures for ACM-bridging and penetrating encapsulants; pipe fittings; metal sleeves; polyvinyl chloride (PVC), canvas, and wet wraps; muslin with straps, fiber mesh cloth; ACM floor tile and mastic; mineral wool, and insulating cement; discussion of employee protection programs and staff training; case study in developing an O & M plan (development, implementation process, and problems that have been experienced).

H) Regulatory review. The following topics should be covered:

- i) OSHA Asbestos Construction Standard found at 29 CFR 1926.1101;
 - ii) National Emission Standard for Hazardous Air Pollutants (NESHAP) found at 40 CFR 61, Subparts A (General Provisions) and M (National Emission Standard for Asbestos);
 - iii) USEPA Worker Protection Rule found at 40 CFR 763, Subpart G; TSCA Title II.
- I) Recordkeeping for the management planner. Use of field inspector's data sheet along with laboratory results; on-going recordkeeping as a means to track asbestos disturbance; procedures for recordkeeping.
- J) Assembling and submitting the management plan. Plan requirements for schools in TSCA Title II Section 203(i)(1); the management plan as a planning tool.
- K) Financing abatement actions. Economic analysis and cost estimates; the development of cost estimates; present costs of abatement versus future operation and maintenance costs; Asbestos School Hazard Abatement Act grants and loans.
- L) Course review. A review of key aspects of the training course.
- 5) Project Designer Course. The project designer three-day training course shall include lectures, demonstrations, a field trip, course review and a closed-book written examination. The abatement project designer training course shall address the following topics:
- A) Background information on asbestos. Identification of asbestos; examples and discussion of the uses and locations of asbestos in buildings; physical appearance of asbestos.
 - B) Potential health effects related to asbestos exposure.

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Nature of asbestos-related diseases; routes of exposure; dose-response relationships and the lack of a safe exposure level; the synergistic effect between cigarette smoking and asbestos exposure; the latency period of asbestos-related diseases; a discussion of the relationship between asbestos exposure and asbestosis, lung cancer, mesothelioma, and cancers of other organs.

- C) Overview of abatement construction projects. Abatement as a portion of a renovation project; OSHA requirements for notification of other contractors on a multi-employer site (29 CFR 1926.1101).
- D) Safety system design specifications. Design, construction, and maintenance of containment barriers and decontamination enclosure systems; positioning of warning signs; electrical and ventilation system lock-out; proper working techniques for minimizing fiber release; entry and exit procedures for the work area; use of wet methods; proper techniques for initial cleaning; use of negative pressure exhaust ventilation equipment; use of HEPA vacuums; proper clean-up and disposal of asbestos; work practices as they apply to encapsulation, enclosure, and repair; use of glove bags and a demonstration of glove bag use.
- E) Field trip. A visit to an abatement site or other suitable building site, including on-site discussions of abatement design, building walk-through inspection and a discussion of rationale for the concept of functional spaces during the walk-through.
- F) Employee personal protective equipment. Classes and characteristics of respirator types; limitations of respirators; proper selection, inspection, donning, use, maintenance, and storage procedures for respirators; methods for field testing of the facepiece-to-face seal (positive and negative pressure fit checks); qualitative and quantitative fit testing procedures; variability between field and laboratory protection factors that alter respirator fit (e.g., facial hair); the components of a proper respiratory protection program; selection and use of personal protective clothing; use, storage, and handling of non-disposable clothing.
- G) Additional safety hazards. Hazards encountered during abatement activities and how to deal with them, including electrical hazards, heat stress, air contaminants other than asbestos, fire, and explosion hazards.
- H) Fiber aerodynamics and control. Aerodynamic characteristics of asbestos fibers; importance of proper containment barriers; settling time for asbestos fibers; wet methods in abatement; aggressive air monitoring following abatement; aggressive air movement and negative pressure exhaust

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- ventilation as a clean-up method.
- I) Designing abatement solutions. Discussions of removal, enclosure, and encapsulation, operation and maintenance and repair methods; asbestos waste disposal.
- J) Final clearance process. Discussion of the need for a written sampling rationale for aggressive final air clearance; requirements of a complete visual inspection; and the relationship of the visual inspection to final air clearance.
- K) Budgeting/cost estimating. Development of cost estimates; present costs of abatement versus future operation and maintenance costs; setting priorities for abatement jobs to reduce costs.
- L) Writing abatement specifications. Preparation of and need for a written project design; means and methods specifications versus performance specifications; design of abatement in occupied buildings; modification of guide specifications for a particular building; worker and building occupant health/medical considerations; replacement of ACM with non-asbestos substitutes.
- M) Preparing abatement drawings. Significance and need for drawings, use of as-built drawings as base drawings; use of inspection photographs and on-site reports; methods of preparing abatement drawings; diagramming containment barriers; relationship of drawings to design specifications; particular problems related to abatement drawings.
- N) Contract preparation and administration.
- O) Legal liabilities/defenses. Insurance considerations; bonding; hold-harmless clauses; use of abatement contractor's liability insurance; claims made versus occurrence policies.
- P) Replacement. Replacement of asbestos with asbestos-free substitutes.
- Q) Role of other consultants. Development of technical specification sections by industrial hygienists or engineers; the multi-disciplinary team approach to abatement design.
- R) Occupied buildings. Special design procedures required in occupied buildings; education of occupants; extra monitoring recommendations; staging of work to minimize occupant exposure; scheduling of renovation to minimize exposure.
- S) Relevant federal, State, and local regulatory requirements, procedures and standards, including, but not limited to:
- i) Requirements of TSCA, Title II.
 - ii) National Emission Standards for Hazardous Air Pollutants (40 CFR 61), Subparts A (General Provisions) and M (National Emission Standard for Asbestos).

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- iii) OSHA Respirator Standard found at 29 CFR 1910.134.
 - iv) US EPA Worker Protection Rule found at 40 CFR 763, Subpart G.
 - v) OSHA Asbestos Construction Standard found at 29 CFR 1926.1101.
 - vi) OSHA Hazard Communication Standard found at 29 CFR 1926.59.
 - vii) Illinois Asbestos Abatement Act and Code.
 - viii) Illinois Commercial and Public Building Asbestos Abatement Act.
 - ix) 40 CFR 763, Appendix C to Subpart E, revised April 4, 1994.
- T) Course review. A review of key aspects of the training course.
- d) Any proposed alterations to an approved training course, such as course materials, instructors, or examinations shall be submitted to the Department for review and approval prior to implementation.
 - e) Each accredited discipline and training curriculum is separate and distinct from the others. A person may not attend two or more courses concurrently.
 - f) Each person who successfully completes an accredited training course shall be issued a certificate containing the following required information:
 - 1) A unique certificate number.
 - 2) Name of accredited person.
 - 3) The type of training course (worker, contractor/supervisor, inspector, management planner, project designer) and whether the course is initial or refresher.
 - 4) The complete name, address, and telephone number of the training course provider that issued the certificate.
 - 5) The dates of the training course.
 - 6) The expiration date of one year after the date upon which the person successfully completed the course and examination.
 - 7) The examination date.
 - 8) A statement that the training course is accredited by the Illinois Department of Public Health.
 - 9) A statement that the person receiving the certificate has completed the requisite training for asbestos accreditation under TSCA Title II.
 - 10) The location of the course if different from the training course provider's address.
 - 11) The language in which the course was taught, if other than English.
- g) Examinations.
- 1) A closed-book examination shall be given at the completion of an initial or refresher training course. The examination shall cover the topics included in the training course for that discipline.

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- 2) A person shall pass the examination with a score of at least 70% in order to receive accreditation.
- 3) Students shall be allowed to retake the examination twice in a two week time period following the date of the initial failure. After three successive failures, the student shall retake the full course before being allowed to retest.
- 4) The following are the minimum requirements for the number of examination questions in each discipline (all questions shall be multiple-choice):
 - A) Worker Initial - 50
 - B) Worker Refresher - 25
 - C) Contractor/Supervisor Initial - 100
 - D) Contractor/Supervisor Refresher - 50
 - E) Inspector - 50
 - F) Inspector Refresher - 25
 - G) Management Planner - 50
 - H) Management Planner Refresher - 25
 - I) Project Designer - 100
 - J) Project Designer Refresher - 50
- h) Continuing Education.
 - 1) Annual refresher training is required for all disciplines as indicated below:
 - A) Workers: One full day of refresher training.
 - B) Contractor/Supervisors: One full day of refresher training.
 - C) Inspectors: One half-day of refresher training.
 - D) Management planners: One half-day of inspector refresher training and one half-day of refresher training for management planners.
 - E) Project Designers: One full day of refresher training.
 - 2) The refresher courses shall be specific to each discipline. Refresher courses shall be conducted as separate and distinct courses and not be combined with any other training during the period of the refresher course.
 - 3) For each discipline, the refresher course shall review and discuss changes in federal, State, and local regulations, developments in state-of-the-art procedures, and a review of key aspects of the initial training course. After successfully completing the annual refresher course, persons shall have their accreditation extended for an additional year from the date of the refresher course. An annual refresher exam is required (see subsection (g) of this Section).
 - 4) A 12-month grace period shall be allowed to enable formerly accredited persons with expired certificates to complete refresher training and have their accreditation status reinstated without being required to retake the initial training course. The 12-month grace period shall begin on the expiration date of the certificate (see Section 855.100 (j)).
 - 5) The training provider shall verify that each student possesses:

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- valid accreditation before granting admission to the refresher course and that the refresher course is for the same discipline as the initial course. Valid accreditation means that the student's most recent accreditation has not been expired for a period more than 12 months from the expiration date.
- i) Training Length.
 - 1) One day of training shall equal eight hours, including two 15-minute breaks and one hour for lunch. One half-day of training shall equal four hours including one 15-minute break.
 - 2) Course providers may segment courses subject to the following restrictions:
 - A) The total hours required for each discipline shall be completed within a single two-week timeframe.
 - B) No more than eight hours of training shall be given per day.
 - C) Evening instruction shall not exceed a maximum of four hours in any single session.
 - j) Instructors.
 - 1) All individuals desiring to become training course instructors for those disciplines regulated under this Part must receive approval from the Department prior to teaching. The Department shall issue a "Letter of Approval" to qualified applicants. In order to qualify as an approved training course instructor, the applicant shall submit the following to the Department.
 - A) A completed training course instructor application form provided by the Department.
 - B) A certificate of successful completion of a USEPA or State approved course specific to the discipline for which he/she is applying to teach.
 - C) Written verification of a minimum of six months (1,040 hours) of experience (occupational and/or educational) related to the discipline of the course for which he/she is applying.
 - 2) Training course providers shall submit to the Department all changes to their list of approved instructors and the courses which they teach.
 - 3) An instructor shall not be permitted to submit a certificate of successful completion from a course he/she has instructed. In order for the certificate of accreditation to be valid and acceptable for licensure or approval as an instructor, the instructor shall successfully complete a course conducted by a company for which he/she is not employed.
 - k) All training providers shall comply with the following minimum recordkeeping requirements:
 - 1) Training course materials. A training provider must retain copies of all instructional materials used in the delivery of the classroom training such as student manuals, instructor notebooks and handouts.
 - 2) Instructor qualifications. A training provider must retain

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copies of all instructors' resumes, and the documents approving each instructor issued by the Department. Records must accurately identify the instructors that taught each particular course for each date that a course is offered.

- 3) Examinations. A training provider must document that each person who receives an accreditation certificate for an initial or refresher training course has achieved a passing score on the examination. These records must indicate the date the exam was administered, the training course and discipline for which the exam was given, the name of the person who proctored the exam, a copy of the exam, and the name and test score of each person taking the exam. The topic and dates of the training course must correspond to those listed on that person's accreditation certificate.
- 4) Accreditation certificates. A training provider shall maintain records that document the names of all persons who have been awarded certificates, their certificate numbers, the disciplines for which accreditation was conferred, training and expiration dates, and the training location. The training provider shall maintain the records in a manner that allows verification of the required information by telephone.
- 5) Records retention and access.
 - A) The training provider shall maintain all required records for a minimum of six years.
 - B) The training provider shall, upon request, allow reasonable access by the Department to all of the records.
 - C) If a training provider ceases to conduct training, the training provider shall notify the Department and provide the Department the opportunity to take possession of that provider's asbestos training records.
- 1) Training course providers shall permit representatives of the Department to attend, evaluate, and monitor any training course without charge. The Department's compliance inspection staff are not required to give advance notice of their inspections.
- m) The notification form provided by the Department shall be completed and submitted to the Department by the training course provider for each offering of an accredited training course. Notifications shall be received by the Department at least 10 working days prior to commencement of training. Any changes in the notification or instructors shall be submitted at least 48 hours before the course commencement.
- n) The provider of an accredited training course shall submit to the Department a list of students who passed the exam using the class list form provided by the Department no later than 10 days after the last day of the training course. All requested information shall be provided and shall be legible.
- o) Accreditation of initial and refresher training courses shall expire one year from the date of accreditation. For accreditation to be

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renewed, a renewal fee of \$500.00 must be received by the Department prior to the expiration of course accreditation. If a renewal fee is received after the expiration date, the provider shall pay in addition a late fee of \$100.00. Accreditation of a training course which has been expired for more than one year may only be restored by reapplying.

- p) A training course may be offered in a language other than English. For courses to be presented in a language other than English, the following requirements shall be submitted:
 - 1) All course materials shall be both in English and in the non-English language.
 - 2) The training course provider shall provide written assurance that the translation is technically representative of the English version of the course materials submitted.
 - 3) The course certificate shall be in English and specify the language in which the course was conducted.
 - 4) Instructors shall be fluent in the language of the course being presented. The use of interpreters is not permitted.
- q) If the Department finds that a training course provider or instructor is not in compliance with this Part, the Department may suspend, revoke, or deny accreditation of a course. The Department shall provide written notice of its decision. The training course provider shall have 15 days to make a written request for an administrative hearing to contest the Department's decision. In addition, the Department may deny or revoke course accreditation or instructor approval for the following or similar reasons:
 - 1) Misrepresentation of a training course's approval by the Department.
 - 2) Falsification of accreditation records, instructor qualifications, or other accreditation information.
 - 3) Conviction of a violation of the Consumer Fraud and Deceptive Business Practice Act [815 ILCS 505].
 - 4) Conviction of a violation of any provisions of training course laws in any other state, or any laws or rules relating to asbestos training courses.
 - 5) Fraudulent advertising or solicitations relating to asbestos training courses.
 - 6) Failure to maintain approval of a course by USEPA or a state in accordance with 40 CFR 763, Appendix C to Subpart E, revised April 4, 1994.

SUBPART C: GENERAL ABATEMENT REQUIREMENTS

Section 855.200 Project Designer Responsibilities

- a) The Department shall prepare and maintain a list of licensed project designers. The list shall be made available upon request and shall be used to select a project designer. All school asbestos abatement

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- projects shall be designed by a Department licensed project designer.
- b) In accordance with 40 CFR 763, a licensed project designer shall design response actions for the LEA.
 - c) The project designer shall plan the abatement project in accordance with the response action recommendation of the management plan and all federal and State rules governing such action (i.e., 40 CFR 61; 29 CFR 1910 and 1926; and this Part). All such planning shall be undertaken in compliance with the relevant provisions of the Illinois Architecture Practice Act of 1989 [225 ILCS 305], the Illinois Professional Engineering Practice Act of 1989 [225 ILCS 325], the Illinois Structural Engineering Act [225 ILCS 340] and the Illinois School Code [105 ILCS 5]. A licensed Industrial Hygienist who is a licensed project designer may act as an asbestos project designer when a project design only applies to interior alterations of surface materials in an existing building which does not involve structural changes or changes to the electrical, heating, air conditioning, physical plant or associated piping. The project designer shall certify that the project design meets or exceeds all federal, State, and local regulations and codes.
 - d) The project designer shall design or directly supervise preparation of the specifications and plans for each individual project. These contract documents shall include his or her Department-issued license I.D. number and handwritten signature.

- 1) Project design documents shall contain the following information:
 - A) General location of the project within the facility.
 - B) Locations of mini-containments, if applicable.
 - C) Location of barriers.
 - D) Location of the worker decontamination enclosure system(s).
 - E) Location of equipment decontamination enclosure system(s).
 - F) Location where negative air machines are to exhaust.

- 2) Any and all changes to the design shall be verified by the project designer and shall bear his or her Department-issued license I.D. number and handwritten signature.

- e) The abatement project designer shall be responsible for the design specifications and plans prepared by him or her in accordance with applicable laws and standard of care required of those providing professional services.

- f) Prior to and during project activities in school buildings, the project designer shall submit to the Department any changes in the names and addresses of any project manager and air sampling professional.

- g) If a commercial or public building project is designed, the design shall be completed by a Department licensed designer and shall be in accordance with subsections (d)(1) and (2) of this Section.

Section 855.210 Supervisor Responsibilities

- a) The supervisor shall be the contractor's designated representative who

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is licensed by the Department, and shall be responsible for carrying out the following activities:

- 1) Assist in decision-making regarding selection of procedures.
- 2) Review variance requests in accordance with Section 855.355.
- 3) Ensure that all project activities are conducted in accordance with the requirements of the Asbestos Abatement Act or the Commercial and Public Building Asbestos Abatement Act, as applicable, and this Part.
- 4) Supervise project activities at all times.
- 5) Meet with the project manager daily to review work progress and solve problems or adjust procedures as appropriate.
- 6) Prior to and during project activities, the contractor, or his designee, is responsible for assuring that all employees who are conducting project activities possess, on the job site, a valid original current license. A copy of the license is not acceptable for meeting this requirement.
- 7) The contractor, or his designee, shall make a copy of the original license and the copy shall be available at the project site.
- b) On school projects, one project supervisor per contained area is required.

Section 855.220 Procedures and Notification for Abatement of Asbestos in Commercial and Public Buildings

- a) The work procedures and controls specified below shall only be followed for abatement of friable and nonfriable ACM in commercial and public buildings except as indicated (Schools shall use procedures and controls specified in Subpart D of this Part.):

- 1) Removal of friable and nonfriable ACM shall be conducted in accordance with NESHAP Regulations 40 CFR 61, Subpart M, and OSHA Regulations 29 CFR 1926.1101.

- 2) Encapsulation or enclosure of friable ACM shall be performed using controls at least as stringent as those found in 29 CFR 1926.1101(g) for Class I asbestos work, and using work practices specified by Sections 855.240 and 855.250.

- 3) Repair and maintenance of friable ACM shall be performed using controls and work practices specified by 29 CFR 1101(g) for Class III asbestos work.

- 4) The notification form provided by the Department shall be completed by the contractor and submitted to the Department at least ten working days prior to the commencement of a commercial and public building project that is less than 160 square feet or 260 linear feet but more than or equal to three square feet or three linear feet. For all nonfriable ACM abatement projects, the contractor or building owner shall use the NESHAP Notification Form to notify the Department of the impending project.

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- 5) At the conclusion of the abatement project, all temporarily stored ACM shall be removed from the abatement site and be transported to a regulated landfill location approved for disposal of asbestos-containing waste.
- 6) After the completion of the final clean and all surfaces in the contained area are dry at the end of the 12 hour period, the contractor shall inspect the contained area for visible residue. If the area is clear of residue, the contractor shall notify an air sampling professional that the contained area is ready for clearance air monitoring. Air sampling shall be conducted by an air sampling professional. The air sampling professional shall follow the criteria found in Section 855.470(c), (d), (f) and (g) of this Part. When transmission electron microscopy (TEM) is used, clearance criteria specified in AHERA 40 CFR 763, Appendix A to Subpart E shall be followed. The air sampling professional is allowed to use phase contrast microscopy for clearance air monitoring in public and commercial buildings in lieu of TEM. A minimum of five samples shall be taken with one additional sample for every 10,000 sq. ft. above 50,000 sq. ft. Each sample result shall be less than or equal to 0.01 f/cc. If the air sampling results indicate a concentration of airborne asbestos fibers in excess of clearance criteria, the contractor shall reclean the contained area. The contractor shall not be released until the contained area meets clearance criteria. The contractor shall give a copy of the test results to the building owner and retain a copy for its records for three years.
- b) An air sampling professional for commercial and public buildings shall meet the following qualifications:
 - 1) Successfully complete a NIOSH #582 course "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.
 - 2) A Bachelor's Degree in the life, environmental or physical sciences or in engineering. In lieu of a degree, the person may possess an Illinois Industrial Hygienist License.
 - 3) Written verification of 520 hours on-site experience in general indoor air pollution sampling; or in lieu of a degree, written verification of 2,080 hours on-site experience in air sampling for asbestos abatement projects.

Section 855.230 Equipment and Waste Container Removal Procedures

- a) External surfaces of contaminated containers and equipment shall be cleaned by wet cleaning and/or HEPA vacuuming before moving such items into the equipment decontamination enclosure system washroom for final cleaning.
- b) Once in the equipment decontamination enclosure system, external surfaces of contaminated containers and equipment shall be cleaned a second time by wet cleaning before moving such items into the holding

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- c) area pending removal to uncontaminated areas.
Containers and equipment shall be removed from the holding area by workers who have entered from uncontaminated areas wearing proper personal protective equipment. If the equipment decontamination enclosure system does not terminate to the exterior of the building, the following procedures shall be followed:
 - 1) Waste and equipment shall be placed in a cart lined with a minimum of one layer of six mil plastic sheeting. The top of the cart shall not be overloaded, which may cause tipping. The top of the cart shall be covered with a minimum of one layer of six mil plastic sheeting. The plastic sheeting shall be secured.
 - 2) The loaded cart shall be carefully taken to and unloaded in the enclosed waste storage unit specified in Section 855.475.
- d) The exit from the equipment decontamination enclosure system shall be secured to prevent unauthorized entry (i.e., by fences, locks, or security guards).

Section 855.240 Encapsulation Procedures

The contractor shall encapsulate the ACM in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with Sections 855.400, 855.410, 855.420, 855.425, 855.430, 855.440 and 855.450.
- b) Damaged and missing areas of existing materials shall be repaired with nonasbestos-containing substitutes. The material shall adhere to existing surfaces and provide a base for application of encapsulating agents.
- c) Loose or hanging ACM shall be removed in accordance with the requirements of Section 855.460.
- d) The contractor shall field test encapsulants prior to use by applying each to a small area to determine suitability for the material to be encapsulated.
- e) Bridging encapsulants
 - 1) Bridging encapsulants shall be applied to provide the manufacturer's specified number of inches or minimum dry film thickness over sprayed asbestos surfaces.
 - 2) When using a bridging encapsulant, a different color for each coat shall be used.
- f) Penetrating encapsulants
 - 1) Penetrating encapsulants shall be applied to penetrate existing asbestos materials to the substrate.
 - 2) During treatment with a penetrating encapsulant, the contractor shall remove selected random core samples of the ACM in the presence of the building owner or the project manager to check the depth of penetration.
- g) Encapsulants shall be applied using airless spray equipment.
- h) Cleanup shall be performed in accordance with Section 855.465.

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- i) Encapsulated ACM shall be designated (e.g., labels, signs or color codes) in order to warn building maintenance personnel in the event that encapsulated materials must be disturbed.

Section 855.250 Enclosure Procedures

The contractor shall enclose ACM in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with Sections 855.400, 855.410, 855.420, 855.425, 855.430, 855.440 and 855.450.
- b) Areas that may be disturbed during the installation of hangers or other support/framing materials for the enclosure shall be sprayed with amended water. These areas shall be kept damp to reduce airborne fiber concentrations.
- c) Loose and hanging ACM shall be removed in accordance with the requirements of Section 855.460.
- d) After installation of hangers, brackets or other enclosure supports and before installation of enclosure, damaged areas of fireproofing/thermal insulation materials shall be repaired using a nonasbestos-containing replacement material. Surfaces shall be prepared and replacement material applied in accordance with manufacturer's recommendations.
- e) Hand tools used to drill, cut into, or otherwise disturb ACM during the installation of support systems for the enclosures shall be equipped with HEPA filtered local exhaust ventilation.
- f) Enclosure materials shall be impact resistant and provide an airtight barrier once construction is complete (see Section 855.390(i)).
- g) Utilities shall be lowered as necessary and reinstalled in a manner which permits proper utilization and does not disturb the integrity of the enclosures. Utility maintenance shall not require the enclosures to be opened or disturbed.
- h) Clean-up shall be in accordance with Section 855.465.
- i) Enclosed ACM shall be designated (e.g., sign, label, or color code) in order to warn building maintenance personnel in the event that the enclosure must be disturbed.

Section 855.260 Reestablishment of the Work Area and HVAC Systems

The contractor shall reestablish the work area in accordance with the following procedures:

- a) Reestablishment of the work area shall only occur following the completion of the cleanup procedures and after clearance air monitoring has been performed and documented to the satisfaction of the school board or building owner.
- b) The contractor and building owner shall visually inspect the work area for any remaining visible residue. Evidence of contamination shall necessitate additional cleaning in accordance with Section 855.465.
- c) Additional air monitoring shall be performed in accordance with

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- d) Section 855.470 if additional cleanup is necessary.
- e) Following completion of clearance air monitoring of the work area in accordance with Section 855.470, remaining polyethylene barriers and worker and equipment decontamination enclosure systems shall be removed and disposed of as asbestos-contaminated waste. Following removal, the entire area, including HVAC filter assembly and duct work, shall be wet cleaned or HEPA vacuumed to remove residual asbestos fibers.
- f) Mounted objects removed from former positions during area preparation activities may be resecured.
- g) Objects that were removed to temporary locations may be relocated to original positions.
- h) New filters shall be installed in HVAC systems, and mechanical and electrical systems shall be reestablished in working order.

Section 855.270 Emergency Stop Work Orders For Schools and Commercial and Public Buildings

The Department will issue emergency stop work orders in accordance with the provisions of Section 12a of the Asbestos Abatement Act and Section 20 of the Commercial and Public Building Asbestos Abatement Act. When the conditions under which abatement is being done have been brought into compliance with the provisions of the Asbestos Abatement Act for schools, and the Commercial and Public Building Asbestos Abatement Act and this part, the Department shall authorize the reinstatement of the activities and reinstatement of the contractor on the Department's List of Contractors. [105 ILCS 105/12(a) and 225 ILCS 207/20]

SUBPART D: LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES
AND STANDARDS FOR ABATEMENT

Section 855.300 Local Education Agency (LEA) Requirements

- a) Each LEA shall:
- 1) Ensure that any persons who perform inspections and reinspections, develop and update management plans, develop and implement response actions, including operations and maintenance or repair, are licensed in accordance with Section 855.100.
 - 2) Ensure that all custodial and maintenance employees are properly trained as required by the Asbestos Hazard Emergency Response Act (AHERA), the Asbestos Abatement Act, and this Part.
 - 3) Ensure that parents, teachers, and employee organizations are notified in writing at least once each school year of inspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress. The LEA shall include in the management plan a description of the steps taken to notify such organizations and a dated copy of the

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notification.

- 4) The LEA shall designate a person to oversee all management plan activities and ensure that the designated person receives adequate training to perform the assigned duties of the local education agency. Such training shall include:

- A) Health effects of asbestos.
- B) Detection, identification and assessment of ACM.
- C) Options for controlling ACM.
- D) Asbestos management programs.
- E) Relevant federal and State regulations concerning asbestos, including those of the Occupational Safety and Health Administration, U.S. Department of Labor, the U.S. Department of Transportation, the U.S. Environmental Protection Agency and the Department.

- 5) Ensure that short-term workers (e.g., telephone repair workers, utility workers, or exterminators) who may come in contact with asbestos in a school are provided information regarding the locations of asbestos-containing building materials (ACBM) and/or assumed ACM.

- 6) Ensure that warning labels are posted in accordance with the following:

- A) The LEA shall attach a warning label immediately adjacent to any ACBM and suspected ACBM assumed to be ACBM located in a routine maintenance area (such as boiler rooms) at each school building.

- B) All labels shall be prominently displayed in readily visible locations and shall remain posted until the ACBM is removed.

- C) The warning label shall state in print which is readily visible: Caution; Asbestos. Hazardous. Do Not Disturb Without Proper Training and Equipment.

- 7) Ensure that the management plans are available for inspection and notification of such availability has been provided as specified in the management plan.

- 8) Keep a copy of the plan in each school and district administrative office. Management plans shall be available for inspection by workers before work begins in any area of a school building. The management plans shall be available during normal business office hours, without cost or restriction, for inspection by representatives of the USEPA, the Department, teachers, other school personnel, parents and the general public. The LEA may charge a reasonable cost to make copies of management plans.

- 9) Maintain records as part of the management plan.

- 10) Ensure that each management plan contains a statement, signed by the individual designated by the LEA, which certifies that the LEA responsibilities have been met or will be met.

- 11) Ensure that three year reinspections are conducted in accordance with this Part and Section 855.310(m).

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- 12) Ensure that the three year school reinspection information form provided by the Department is submitted to the Department within 30 days from the reinspection.

b) Recordkeeping

- 1) Records required under this Section shall be maintained in a centralized location in the administrative office of both the school and the LEA as part of the management plan. For each homogeneous area where all ACBM has been removed, the LEA shall ensure that such records are retained for six years after completion of removal.

- 2) For each preventive measure and response action taken for ACBM and suspected ACBM assumed to be ACBM, the LEA shall provide:

- A) A detailed written description of the response action and methods used, the location where the response action was taken, the reasons for selecting the response action, the start and completion dates of the work, the names and addresses of all contractors involved, and if applicable, their IDPH license I.D. number, and if ACBM is removed, the name and location of the disposal site of the ACBM.

- B) The name, signature, and Department-issued license I.D. number of any person collecting any air samples required to be collected at the completion of certain response actions, the locations where samples were collected, date of collection, the name and address of the laboratory analyzing the samples, the date of analysis, the results of the analysis, the method of analysis, the name and signature of the person performing the analysis, and a statement that the laboratory meets the applicable requirements of the National Bureau of Standards TEM laboratory accreditation.

- C) For each time that periodic surveillance is performed, the LEA shall record the name of each person performing the surveillance, the date of the surveillance, and any changes in the conditions of the materials.

- D) For each time that asbestos cleaning is performed, the LEA shall record the name of each person performing the cleaning, the IDPH licensed worker I.D. number, the date of such cleaning, the locations cleaned, and the methods used to perform such cleaning.

- E) For each time that operations and maintenance activities are performed, the LEA shall record the name of each person performing the activity, the Department-issued licensed worker I.D. number, the start and completion dates of the activity, the locations where such activity occurred, a description of the activity including preventive measures used, and if ACBM is removed, the name and location of the storage or disposal site of the ACBM.

- F) For each time that major response action is performed, the local education agency shall provide the name, signature and

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Department-issued license I.D. number of each person performing the activity, the start and completion dates of the response action, the locations where such response action occurred, a description of the activity, including preventive measures used, and if ACBM is removed, the name and location of the storage or disposal site of the ACBM.

- G) For each fiber release episode, the LEA shall provide the date and location of the episode, the method of repair, preventive measures or response action taken, the name of each person performing the work, the IDPH license ID number, and if ACBM is removed, the name and location of the storage or disposal site of the ACBM.

Section 855.310 Procedures for School Inspections and Reinspections

- a) The Department shall prepare and maintain a list of licensed inspectors. All inspections of school buildings for the presence of ACBM and all assessments of the condition of ACBM in schools shall be done by a Department licensed asbestos inspector.

- b) School Building Inspections.
- 1) Inspections shall be conducted only during non-school hours. Samples shall not be collected in areas where, and at times when, students or school personnel are present.

- 2) All areas of the school building shall be inspected including classrooms, cafeterias, auditoriums, gymnasiums, locker rooms, offices, hallways, tunnels, boiler rooms, mechanical rooms, above drop ceilings, crawl spaces, ventilation ducts, attics, basements, etc.

- 3) For initial inspections, the inspector shall identify and establish homogeneous sampling areas for friable and nonfriable materials.

- 4) The inspector shall photograph materials sampled and damaged areas found and identify locations where pictures were taken.

- 5) The inspector shall complete the form "Building Inspection for Friable and Nonfriable Materials" for each school or facility. (See Appendix B, Illustration A of this Part.)

- c) Sampling Friable and Nonfriable Materials.

- 1) The area of each homogeneous friable and nonfriable surface shall be calculated (allow for beams, vaulted ceilings, etc.). If materials appearing uniform were installed at different times, two materials shall be designated as distinct homogeneous areas.

- 2) A diagram shall be drawn for each homogeneous sampling area as described in subsection (g) of this Section.

- 3) Random sample points shall be determined using the method described in subsection (i) of this Section.

- 4) A minimum of three samples for each homogeneous sampling area of less than 1,000 square feet shall be collected. For areas from 1,000 to 5,000 square feet, a minimum of five samples shall be

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collected. For homogeneous areas greater than 5,000 square feet, a minimum of seven samples is required.

- 5) If pipe and boiler insulation are in good condition (not friable), sampling shall not be conducted. The Superintendent of the school district may want to request a variance (see Section 855.355) for the inspectors to sample material that is in good condition. It shall be assumed that those areas are asbestos-containing and recorded as such. However, damaged pipe and boiler insulation are considered distinct sample areas, and three samples must be collected for each such homogeneous material found. Wall and ceiling tiles must also be sampled. Three samples shall be collected from each homogeneous type of tile found. Pipe, pipe joints and boiler insulation are all different homogeneous areas and shall not be sampled as one homogeneous area.

- 6) At least one bulk sample shall be collected from each homogeneous area of patched thermal system insulation that is not assumed to be ACBM if the patched section is less than six linear or square feet.

- 7) Bulk samples are not required to be collected from any homogeneous area where the accredited inspector has determined that the thermal system insulation is fiberglass, foam glass, rubber, or other non-asbestos-containing building materials.

- 8) Miscellaneous materials shall be collected in a manner sufficient to determine whether material is asbestos-containing building materials (ACBM) or not asbestos-containing building materials. An accredited inspector shall collect bulk samples from each homogeneous area of friable miscellaneous material that is not assumed to be asbestos-containing materials.

- 9) Nonfriable suspected asbestos-containing building materials (ACBM). If any homogeneous area of nonfriable suspected ACBM is not assumed to be ACBM, then a licensed inspector shall collect, in a manner sufficient to determine whether the material is ACBM or non-ACBM, bulk samples from the homogeneous area.

d) Sampling Precautions.

- 1) Disturbed materials shall only be sampled with necessary personnel present. Materials shall not be disturbed any more than necessary.

- 2) A NIOSH approved respirator equipped with HEPA filters shall be worn when sampling friable materials or when moving ceiling tiles to access friable materials.

- 3) Disturbed materials shall be sealed with a clear, nonflammable encapsulant.

- 4) Any visible materials shall be cleaned by wet mopping or by wiping with a damp cloth.

- 5) When carpet is present, a plastic drop cloth shall be placed under the sample point to facilitate easy clean up.

- 6) Contaminated materials (e.g., wiping cloths, mop heads) shall be

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e) disposed of in sealed, labeled six mil plastic bags.

1) Sampling Procedures.

1) Materials shall be sprayed with a light mist of water to reduce fiber release during sampling.

2) A small core of the material penetrating all layers including any paint or protective coating shall be gently cut and removed. Any reusable instrument shall be wet-wiped before reuse.

3) The sample shall be placed in a whirl-pak plastic bag. The bag shall be sealed and the exterior wiped with a damp cloth to remove any materials.

4) Each bag shall be labeled with a sample I.D. number.

5) The samples for each school shall be sealed in a second plastic bag.

6) Information to be recorded for each sample collected includes the date, sampling location and ID number. The form "Asbestos Bulk Analysis" shall be completed and samples submitted to a laboratory accredited under the National Voluntary Laboratory Accreditation Program (NVLAP) administered by the National Institute for Standards and Technology (NIST).

f) Reporting. The Management Plan referenced in Section 855.325 shall be submitted to the Department along with one copy of the inspection report which shall include a narrative description of building components and a completed "Building Inspection for Friable and Nonfriable Materials" form for each school inspected. Photographs and sample area diagrams shall be included with sample locations. All photographs must be reproduced from negatives. Photocopies of photographs shall not be sent. Each sample must have a photograph to show condition of the material.

1) To expedite the efficient review of the inspection reports, they shall be organized and submitted in the following order:

A) Each report shall be put in a three hole report cover. (Not a three ring binder.)

B) The school district, school name, and the complete address of school building where inspection was conducted, city and county shall be identified on the front cover.

C) The report shall be assembled in the following order:

i) Appendix B, Illustration A

ii) Narrative Report

iii) Each sample area: Appendix B, Illustration B (2 pages) Identifying sample area: Drawing to scale or dimension; Indicating on plan where samples were taken; Including photographs of material from which samples were taken; Indicating the sample number which applies to each photo. The reference material should be used to determine the number of samples required based on the square footage in the sampling area.

2) The inspection report will not be considered complete until bulk samples are received by an approved laboratory. A copy of the

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laboratory submission sheets shall be included with the inspection report.

g) For each sampling area, diagram shall be prepared showing all friable and nonfriable materials in the sampling area. Construct the diagram on graph paper as follows:

1) The approximate dimensions of all rooms, corridors, or other school building areas included in the diagram shall be clearly indicated. If these measurements are not readily available, rooms will need to be measured. Prepare the diagram approximately to scale. (See Appendix B, Illustration C.)

2) The diagram shall distinguish between friable and nonfriable material areas of the sampling area, and areas in the diagram that are not contained in the sampling area.

3) Any of the following features that are found within the sampling area shall be drawn on the diagram approximately to scale:

A) Damage caused by water or high humidity.

B) Damage due to vandalism, rough use, or other factors.

C) Patched or repaired material.

D) Areas that are inaccessible for the purpose of sampling the friable or nonfriable material.

h) If one sampling area contains friable or nonfriable material areas that are not adjacent (for example, areas on different floors of the school building where the material is the same), each separate area shall be sketched according to the above instructions. Place all sketches on the same graph, as closely together as possible. The sampling area may contain areas that are not in the same plane (for example, a ceiling and a wall with the same type of friable or nonfriable material). In this case, each flat surface shall be sketched according to the above instructions and these sketches placed on the same graph, as close together as possible.

i) On each sampling area diagram, the following information shall be recorded:

1) Sampling area identification number that distinguishes the sampling area from all others of the school building.

2) Brief description of the sampling area.

3) Area dimensions and scale.

4) Name and address of the school.

5) Name and telephone number of the school official contacted.

6) Name of inspector and date of inspection.

7) Name of person preparing the diagram and date prepared.

j) For piping, vent and boiler diagrams:

1) A diagram shall be drawn which includes room dimensions and sample locations. (See Appendix B, Illustration D.)

2) Sample locations shall be described.

k) These diagrams shall be included with the "Building Inspection" form.

l) Sampling Procedure

1) The sampling area shall be divided into nine equally sized subareas. This shall be done by dividing the length and width of

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the sampling area into three equal lengths and three equal widths and drawing a grid over the diagram (see Appendix B, Illustrations C through G).

- 2) The diagrams in Appendix B, Illustration E show which subareas to use in order to follow a random sampling scheme. For the first area to be sampled, the nine subareas shall be numbered as shown for sampling area #1 in Appendix B, Illustration E. If three samples are needed, they shall be taken from the subareas marked 1, 2 and 3. If 5 samples are needed, they shall be taken from the subareas marked 1, 2, 3, 4 and 5, and so on. Samples shall be taken from approximately the center of a subarea, or as close as possible to the center if inaccessibility, presence of light fixtures, etc., make the center location impractical. If a subarea is specified that falls entirely outside the sampling area, the next specified subarea shall be used. For example, if subarea 3 falls outside the sampling area, the third sample from subarea 4 shall be taken.

- 3) For very irregularly shaped areas, the sampling area may be divided into nine approximately equally sized subareas that do not necessarily form a rectangular grid. The diagrams in Appendix B, Illustration E will then need to be adapted to the specific situation. Appendix B, Illustration F shows an example of a Y-shaped sampling area that is divided into nine equally sized subareas. The first diagram of Appendix B, Illustration E was adapted accordingly to number the subareas. When adapting sampling diagrams, the order of the numbered subareas from left to right and top to bottom shall be retained wherever possible.

- 4) For each sampling area, a new diagram in accordance with Appendix B, Illustration E shall be used. If there are more than 18 sampling areas, a diagram shall be started to correspond to sampling area #1 of Appendix B, Illustration E to determine sampling locations for sampling area 19 and higher.

m) The following shall be required for reinspections:

- 1) All items included in Section 855.325, Appendix B, Illustration H.
- 2) Any additional suspect ACBM found during the reinspection, that was not included in the original management plan or previous reinspection report, shall be sampled according to procedures in Section 855.310(d) or listed as assumed ACBM and added to the management plan.

- 3) Inspections shall be conducted only during non-school hours. Samples shall not be collected in areas when and where students or school personnel are present.

- 4) Within 30 days after the reinspection, the Department-licensed inspector shall submit to the LEA the following:

- A) The date of the reinspection.
- B) The name and signature of the Department-licensed inspector performing the reinspection and the licensed management planner.

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- C) The current Department-issued license number of the inspector/management planner and the current training course certificate at the time of the inspection.
- D) Any changes in condition of known or assumed ACBM.
- E) Any changes in the classification of an assumed ACBM to a non-ACBM will be submitted with TEM sample results proving that the material is not ACBM.
- F) Any changes in the response action recommendations.

Section 855.320 Management Planner Responsibilities

- a) The Department shall prepare and maintain a list of licensed management planners. The list shall be made available to all school boards or building owners and shall be used to select a management planner.
- b) In accordance with 40 CFR 763, a licensed management planner shall prepare and develop the asbestos management plan for a school building. This plan shall be prepared from the inspection report which contains the assessment done by the licensed inspector and the bulk sample analyses done by a USEPA approved laboratory. A licensed management planner shall review a report on a reinspection required by 40 CFR 763.85(b) and recommend appropriate response actions in the management plan.

Section 855.325 Management Plan

- a) In accordance with 40 CFR 763, each Local Educational Agency (LEA) shall submit to the Governor's designated State agency the management plan for each individual school. The management plan shall comply with the management plan protocol in Section 855.310, Appendix B, Illustration H and Illustration I.
- b) The management plan for each school building shall include:
 - 1) Inspection report with assessment of each homogeneous area as required in Section 855.310.
 - 2) Laboratory analysis report.
 - 3) Response action plans for each homogeneous area of ACBM in accordance with 40 CFR 763.90.
 - 4) Operations and maintenance program for each homogeneous area of ACBM until such time as it is removed.
- c) Any management plan submitted without all materials listed in subsections (b)(1)-(4) of this Section shall be considered incomplete and shall be returned to the LEA.
- d) The Department shall have 90 days to respond to the submitted management plan. The Department shall consider the following factors in deciding to approve or disapprove a management plan: the timeliness of submission, preparation by a Department-licensed management planner, inclusion of an inspection report prepared by a Department-licensed inspector approved by the Department, and

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inclusion of the materials required under subsection (b) of this Section.

- e) If the plan is not disapproved within this time, the LEA shall implement the plan.
- f) If the plan is disapproved within this time, the LEA has 30 days to resubmit the plan. The Department may allow, in writing, an extension of an additional 60 days for resubmission. The Department will consider the size of facilities, number of buildings and the degree to which the management plan fails to comply with the requirements of this Part, before granting an extension.

Section 855.330 Operations and Maintenance

- a) The school board or building owner shall designate a person who shall be responsible for the implementation of an operations and maintenance plan. The plan shall be instituted in every school identified or assumed as having ACBM and shall be enforced at all times. The plan shall be in writing and shall meet the requirements of USEPA (40 CFR 763) and OSHA Regulations (29 CFR 1926.1101).
- b) Repair Procedures. Department-licensed asbestos workers shall be utilized when ACBM must be drilled, sanded, cut, cleaned or repaired and the following procedures shall be followed:

- 1) Heating, cooling, or ventilating air systems shall be shut down to prevent fiber dispersal to other areas of the building.
- 2) Openings in the work area, including windows, doorways, vents, and any other openings, shall be sealed off with six mil polyethylene or equivalent sheeting and duct tape.
- 3) All persons shall wear respirators equipped with high efficiency HEPA filters and approved by the National Institute for Occupational Safety and Health (NIOSH).
- 4) All persons shall wear disposable full body coveralls and head gear.
- 5) ACBM shall be wet down with amended water before repairing or disturbing the material to reduce airborne fiber release.
- 6) Work area shall be cleaned up using wet rags, mops or sponges, leaving no visible residue.
- 7) Asbestos-contaminated waste shall be sealed in six mil labeled plastic bags and disposed of at an approved disposal site.
- 8) Maintenance or repair which results in the disturbance of ACBM shall be conducted in accordance with OSHA Regulations 29 CFR 2926.1101(e) and (g).

- c) Floor tile removal procedures. If handled carefully, floor tile may be removed with little or no release of asbestos fibers. Accordingly, removal of nonfriable asbestos-containing floor tile in a manner which is not likely to result in release of asbestos fibers will be considered a non-response action. However, in accordance with Section 855.350, in order for the Department to ensure that proper work procedures will be followed and that building occupants will not be

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subjected to asbestos hazards, the school or school district shall submit the following information to the Department:

- 1) A detailed description of the proposed project which specifies work procedures to be utilized and quantities and locations of asbestos-containing floor tile to be removed. The work procedure will be reviewed and the school will be notified if the proposal is acceptable or not acceptable. No work involving asbestos-containing floor tile as non-response action may be performed until a notice of acceptance of the proposed procedure is received by the LEA from the Department.
- 2) The Floor Tile Project Notice form provided by the Department must be submitted at least 10 working days prior to the beginning of an asbestos floor tile project in a school building.
- 3) Any removal of nonfriable floor tile which results in sanding, grinding, abrading, cutting, pulverizing, crushing, or excessive breakage of the material will be considered a response action, and all requirements of the Asbestos Abatement Act and this Code will apply.

Section 855.340 Project Manager Responsibilities, Air Sampling Professional Responsibilities and Laboratory Services

- a) Project Manager

- 1) The project manager shall be licensed by the Department in accordance with Section 855.100. The project manager shall be the building owner's designated representative, and shall be responsible for carrying out the following activities:

- A) Review and sign all variances for the abatement project(s).
- B) Assist in the evaluation of bids and the selection of a contractor.
- C) Ensure that all project activities are conducted in accordance with the requirements of the Asbestos Abatement Act and this Part and contract documents.
- D) Be on-site whenever project activities are taking place.
- E) Reject defective barriers and decontamination enclosure systems.
- F) Meet with the contractor daily to review work progress, discuss problems and adjust procedures as appropriate.
- G) Report on abatement activities to the building owner and/or school board.
- H) Request, review and maintain contractor submission according to Sections 855.350 and 855.450.
- I) Enter the abatement project at least once every two hours to observe ongoing removal of asbestos-containing material.

- 2) For every decontamination enclosure system, there shall be one project manager.
- 3) The project manager shall have the authority to stop any job activities not performed in accordance with contract

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specifications and any provisions of this Part. The building owner and Department shall be notified verbally by the project manager within 24 hours of a work stoppage. A written report shall be submitted to the building owner with a description of the activity, reason for stoppage and possible means for correcting the problem.

4) The project manager shall keep a daily log of onsite observations concerning the contractor's compliance with activities required under this Part. This log shall be legible and made available upon request at all times to the school board or building owner, the architect/engineer, contractor, and to appropriate local, State and federal agencies.

5) For each asbestos abatement project, the project manager shall prepare a comprehensive final report. The report shall be submitted to the school board or building owner, the contractor, and the Department within 60 working days following completion of final clearance air monitoring. The report shall contain the following items and shall be submitted in the following order with each item labeled:

- A) Project Manager's Report Form provided by the Department.
- B) Items submitted by the contractor under Section 855.350(a).
- C) For clearance air samples, the location of the sample, date of sample, start and end times of sampling, sampling air flow rate, volume of air sampled, name and address of laboratory performing the analysis, and name and signature of the analyst.
 - i) When final air clearance monitoring samples are analyzed by a laboratory using transmission electron microscopy (TEM), a copy of the National Voluntary Laboratory Accreditation Program (NVLAP) certificate for airborne asbestos fibers analysis for the laboratory.
 - ii) When final air clearance air monitoring samples are analyzed by PCM in a laboratory, a copy of Proficiency Analytical Testing Program year-to-date performance report for the laboratory. The year-to-date performance report should be for the testing round completed closest to the completion of the project, but prior to the completion of the project.
 - iii) When final air clearance air monitoring samples are analyzed by an analyst outside of a laboratory, a copy of the report of performance testing under the AAR Program for the analyst for the testing round completed prior to the completion of the project, but not after the completion of the project.
- D) Names, license numbers, and initial and current training certificates for asbestos abatement workers who conducted the abatement.

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- E) Name, address, and license number of asbestos abatement contractor.
- F) Names, addresses, license numbers, and initial and current training certificates for the project designer, project manager, and contractor's supervisor(s), and signature of the project manager.
- G) Name, signature, and license number of each air sampling professional, and a certificate of completion of a training course specified in Section 855.100(j).
- H) Log of negative pressure measurements taken by the contractor for contained areas.
- I) Variance requests submitted to the Department, and the Department's responses to those requests.
- J) Locations, times and results of background, personal, and area air samples taken prior to and during the project.
- K) A detailed description, diagram or blueprint indicating the location of ACBM abated, locations of barriers, and locations of decontamination enclosures.
- L) A detailed description of the project, including description of abatement methods employed, reasons for the project and for selection of the abatement methods, description of types and amounts of ACBM abated, and start and completion dates of the project.
- M) Daily log of observations made by the project manager, including description of project activities, documentation of smoke testing of barriers by the contractor, documentation of post-abatement visual inspection of each work area, and description of procedure used during clearance air sampling.
- N) Items submitted by the contractor under Section 855.350(c) and (d).
 - O) For cleaning performed in accordance with Section 855.400(f)(1)(A), (D) and (E), the names of persons performing the cleaning, the date and locations of the cleaning, and the methods used.
- 6) For each asbestos abatement project, the project manager shall submit a completed Project Manager's Report Form provided by the Department within ten working days following completion of clearance air monitoring. A copy shall be inserted as the first page in the project manager's report.
- 7) If more than one project manager serves on a project, other than as specified below, the person who oversees the completion of the project shall be responsible for the project report and for submission of the Project Manager's Report Form to the Department. For projects with multiple work areas, each overseen by a different project manager, each project manager shall be responsible for the report and the Project Manager's Report Form for the part of the project in the work area for which he or she

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was responsible. However, one comprehensive report for the entire project is acceptable.

b) Air Sampling Professional (ASP)

- 1) The air sampling professional shall be licensed by the Department in accordance with Section 855.100. The air sampling professional shall conduct or supervise all air sampling for the school board or building owner. All projects greater than 160 square feet or 260 linear feet shall be analyzed by transmission electron microscopy (TEM).

- 2) Area sampling shall be conducted using collection media and procedures in accordance with NIOSH Method 7400. The following schedule shall be utilized for air sampling during the project in addition to any OSHA compliance monitoring required to be conducted by the contractor:

- A) Background air samples shall be collected and analyzed prior to the start of project activities in order to determine background airborne fiber concentrations. Samples shall be taken both inside and outside of the work area to establish existing levels.

- B) The following schedule of samples shall be required on a daily basis once abatement activities begin. The size of the abatement activity will have impact on the number of samples necessary to monitor the contractor's activities.

The following are required minimums:

- i) Two area samples inside the work area;
- ii) One personal sample inside the work area;
- iii) Two area samples outside the work area in uncontaminated areas of the building, including one at the entrance to the worker decontamination enclosure; and
- iv) One area sample at each discharge from negative pressure ventilation equipment to the outside of the building.

- C) Air monitoring results shall be documented and retained on-site.

c) Analyst Services

- 1) When final clearance air monitoring samples are analyzed by a laboratory using transmission electron microscopy (TEM), the laboratory shall be accredited by the NIOSH National Voluntary Laboratory Accreditation Program (NVLAP) for airborne asbestos fiber analysis.
- 2) When final clearance air monitoring samples are analyzed by phase contrast microscopy (PCM) in a laboratory, the laboratory shall be proficient in asbestos analysis by the American Industrial Hygiene Association (AIHA) Proficiency Analytical Testing (PAT) Program for phase contrast microscopy.
- 3) When final air clearance air monitoring samples are analyzed by an analyst outside of a laboratory, the analyst analyzing the

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samples shall be considered proficient (board approved) by the American Industrial Hygiene Association's (AIHA) asbestos analyst registry (AAR) program.

- 4) The period of time permitted between the collection of daily air samples and the availability of results shall be less than 24 hours for samples collected during abatement activities. Timetables for results of clearance air samples shall be established by the school board or building owner.

d) Project Manager/Air Sampler Duties Combined

The project manager and air sampling professional shall be two separate individuals for each contained area. Duties may only be combined for abatement project activities when the amount of ACBM is less than or equal to 10,000 square feet or less than to 1,500 linear feet in one contained area and decontamination enclosure system.

Section 855.350 Submissions and Notices

- a) The contractor shall submit the following items to the Department postmarked or facsimile dated at least 10 working days prior to the commencement of an asbestos abatement project.

- 1) The Notice of Asbestos Abatement Form provided by the Department shall be completed and submitted by the contractor for all abatement projects. The completed form shall contain only correct and accurate information.

- 2) Written permission from the building owner confirming the authorization for the commencement of abatement according to Section 855.450(g) shall be attached to the notification form and submitted to the Department.

- b) The contractor shall notify the Department in writing on the form provided by the Department prior to any change in start date, completion date and scope of the project.

- c) Five days prior to commencement of work, the contractor shall submit the following items to the project manager. These items shall be maintained at the abatement site by the project manager in current condition.

- 1) Documentation of arrangements for the transport and disposal of asbestos-containing or contaminated materials and supplies and the name and location of the disposal site.
- 2) Documentation that each asbestos worker and supervisor are licensed.
- 3) Drawings for layout and construction of decontamination enclosure systems and barriers for isolation of the work area.
- 4) When rental equipment is to be used in removal areas or to transport waste materials, a copy of the written notification to inform the rental company of the nature of use of the rented equipment.
- 5) Results of materials testing as conducted before the abatement for purposes of utilization during abatement activities (e.g.,

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project prior to the commencement of abatement. Any changes of the building owners' representatives shall be submitted to the contractor in writing prior to such change.

- 5) Provide to the contractor written permission authorizing the commencement of asbestos abatement.
- 6) The school board or building owner shall provide the contractor with written verification that notification of all building occupants and users have been made pursuant to this Section prior to commencement of the project. Such written verification shall be submitted to the Department by the contractor with the Notice of Asbestos Abatement form provided by the Department.

testing of encapsulant for depth of penetration, testing of substitute materials for adherence to encapsulated surfaces).

- 6) Copies of initial and current accreditation certificates of all licensed persons and the original license. The project manager shall make copies of all licenses at the location where they are conducting work. Failure to have accreditation certificates at the job site could result in decertification.
- d) During abatement activities the contractor shall submit on a weekly basis the following items to the project manager and the project manager shall maintain this documentation at the abatement site:
 - 1) Job progress reports detailing abatement activities, including a review of progress with respect to previously established schedules, problems and actions taken, injury reports, and equipment breakdowns.
 - 2) Copies of all transport manifests, trip tickets and disposal receipts for all asbestos waste materials removed from the work area during the abatement process shall be submitted to the project manager within 10 days after the completion of the project.
 - 3) Copies of worksite entry log books with information on worker and visitor access.
 - 4) Logs documenting filter changes on respirators, HEPA vacuums, negative pressure ventilation units, and other engineering controls.
 - 5) Logs documenting that each asbestos worker present and in the abatement area was licensed as such by the Department.
 - 6) Any revisions to the start date, completion date or scope of the project.
- e) Prior to commencement of work the school board or the building owner shall:
 - 1) Notify occupants of work areas that may be disrupted by the abatement project of dates and requirements for relocation. Arrangements must be made prior to start of the project for relocation of desks, files, equipment and personal possessions in order to avoid unauthorized access into the work area by building occupants. Notification of all building occupants and users is required in order to prevent unnecessary or unauthorized access to the contaminated work area.
 - 2) Submit to the contractor and project manager results of background level air sampling, including sampling location, name of the air sampling professional, equipment utilized and method of analysis. Background air samples shall be collected and analyzed prior to the start of project activities.
 - 3) Provide to the contractor information concerning access, shutdown, and protection requirements of equipment and systems in the work area.
 - 4) Submit to the contractor names and addresses of all asbestos project managers and air sampling professionals assigned to the

Section 855.355 Alternative Procedures and Variances

- a) A variance may be requested by submitting a written proposal to the Department a minimum of 60 days prior to the commencement of work. The written proposal shall include a detailed description of the procedure(s) to be used in lieu of the requirements of this Part. The capability of the alternative procedure(s) to provide an orderly, efficient, and safe abatement which ensures protection equivalent to that provided by this Part or to otherwise satisfy the intent of this Part shall be the basis for approval or denial of the variance. The Department shall notify the applicant in writing of its decision to either grant or deny the variance within 60 days after receipt of the request. The project manager shall keep the approved variance available at the work site at all times.
- b) Variances on abatement project activities shall be issued on a per project basis. Variance requests shall bear the signature of the licensed project designer. Variances shall be valid for 180 days from the date of issuance.
- c) A completed Request for Variance Cover Sheet form provided by the Department shall be submitted with each variance request.

Section 855.360 Demolition of a School Building

- a) Demolition of a school building shall be conducted in accordance with the National Emission Standards for Hazardous Air Pollutants (40 CFR 61) and Occupational Safety and Health Administration regulations (29 CFR 1910 and 1926).
- b) The building owner shall inform the Department in writing of the planned demolition.
- c) If a portion of a building containing ACM is to be demolished, the portion to be demolished shall be separated from the portion to remain by airtight barriers. Barriers erected for this purpose shall comply with Section 855.430(a).

Section 855.370 Workplace Entry and Exit Procedures

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Personnel Entry and Exit. All of the following procedures shall be posted in the clean room by the abatement contractor. These procedures shall be enforced by the abatement contractor and shall be followed throughout the abatement project until clearance air monitoring has been performed and the area has passed final clearance.

- a) All personnel and authorized visitors shall enter the work area through the worker decontamination enclosure system.
- b) All personnel who enter the work area shall sign the entry log, located in the clean room, upon entry and exit.
- c) All personnel, before entering the work area, shall read and be familiar with all posted regulations, personal protection requirements (including workplace entry and exit procedures) and emergency procedures. A sign-off sheet shall be used to acknowledge that these have been reviewed and understood by all personnel prior to entry.
- d) All personnel shall proceed first to the clean room, remove all clothing and don respiratory protection, disposable coveralls, head covering and foot covering. Clean respirators and protective clothing shall be provided and utilized by each person for each separate entry into the work area.
- e) Personnel, wearing designated personal protective equipment, shall proceed from the clean room, through the shower room and equipment room, to the main work area.
- f) Before leaving the work area, all personnel shall remove gross contamination from the outside of respirators and protective clothing by brushing and/or wet cleaning procedures. Each person shall clean the bottoms of protective footwear immediately prior to entering the equipment room.
- g) Personnel shall proceed to the equipment room, where all protective equipment except respirators shall be removed. Disposable clothing shall be deposited into labeled containers for disposal (see Section 855.390(h)).
- h) Reusable, contaminated footwear shall be stored in the equipment room when not in use in the work area and shall be disposed of as asbestos contaminated waste upon completion of abatement. (Rubber boots may be decontaminated at the completion of the abatement for reuse.)
- i) Still wearing respirators, personnel shall proceed to the shower area, clean the outside of the respirator and the exposed face area under running water prior to removal of the respirator, and then shower and shampoo to remove residual asbestos contamination. Various types of respirators will require slight modification of these procedures. An airline respirator with HEPA filtered disconnect protection may be disconnected in the equipment room and worn into the shower. A powered air-purifying respirator facepiece should be disconnected from the filter/power pack assembly, which is not waterproof, upon entering the shower.
- j) After showering and drying, personnel shall proceed to the clean room and don clean disposable clothing if returning to the work area or street clothes at the end of the work shift.

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Section 855.380 Building Protection

- a) A negative air pressure differential of at least 0.02 inches of water column, relative to outside ambient air pressure, shall be maintained at all times throughout the contained area during the asbestos abatement work to ensure that contaminated air in the work area does not filter back to uncontaminated areas. Instrumentation for measuring pressure differential shall be provided by the contractor in accordance with OSHA regulations 29 CFR 1926.1101.
- b) Once the contained area is established, the negative pressure system shall operate continuously, 24 hours a day, from the start of the abatement work to final air clearance.
- c) Asbestos fiber levels in areas adjacent to the contained area shall not exceed 0.01 fibers per cubic centimeter of air (f/cc) or background levels, whichever is higher, as determined by phase contrast microscopy. Work shall immediately cease in the area if fiber counts in adjacent areas are found to exceed this amount. Remedial action (e.g., wet cleaning) shall be taken to reduce such levels to those required by this Section.
- d) The contractor shall be responsible for cleanup of any adjacent areas which become contaminated as a result of the asbestos abatement activities.

Section 855.390 Materials and Equipment

The contractor performing asbestos abatement in a school shall furnish all labor, materials, and equipment necessary for completion of the project.

- a) All materials subject to damage shall be stored off the ground, away from wet or damp surfaces, and under protective cover to prevent damage or contamination. Replacement materials shall be stored outside of the work area until abatement is completed.
- b) Damaged and deteriorating materials shall not be used and shall be removed from the premises.
- c) Plastic (polyethylene) sheeting, in sizes to minimize the frequency of joints, shall be furnished.
- d) Duct tape shall be used for sealing joints of adjacent sheets of plastic and facilitating attachment of plastic sheets to finished or unfinished surfaces.
- e) Spray adhesive shall be capable of providing additional sealing of joints and facilitating attachment of plastic sheeting to finished or unfinished surfaces where needed.
- f) The surfactant used to produce amended water shall be a product that is nontoxic, noncarcinogenic, and is not an eye, nose, or skin irritant.
- g) Airtight and watertight containers shall be provided to receive and retain any asbestos-containing or contaminated materials for storage until disposal at a landfill. The containers shall be labeled in accordance with OSHA regulation 29 CFR 1926.1101(k)(7).

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- h) Plastic asbestos disposal bags shall be six mil or equivalent in thickness and be marked with caution labels in accordance with OSHA regulation 29 CFR 1926.1101(k)(7).
- i) Enclosure materials shall be impact resistant and assembled to be airtight. Gypsum panels taped at the seams, tongue and groove boards, and boards with spline joints all qualify. Joints between walls and ceilings shall be caulked.
- j) An encapsulant shall adhere to the fibrous substrate with sufficient penetration to prevent separation of the sealant from the asbestos-containing materials (see Section 855.430).
- k) Negative air pressure equipment shall be in compliance with ANSI Z9.2 (1991), Local Exhaust Ventilation.
- l) Negative air pressure systems shall be operated in accordance with "Specifications and Operating Procedures for the Use of Negative Pressure Systems for Asbestos Abatement," Guidance for Controlling Friable Asbestos-Containing Materials in Buildings, EPA Report Number 560/5-85-024 (1985).

Section 855.400 Work Area Preparation

The asbestos abatement contractor shall perform the following steps, in the order in which they appear, to prepare the work area. The contractor shall:

- a) Complete the requirements in Section 855.430. Any barriers, such as temporary walls or ceilings, needed to completely enclose the work area, shall be constructed in accordance with Section 855.430.
- b) Post caution signs meeting the specifications of OSHA 29 CFR 1926.1101(k)(6) at any location and approaches to a location where airborne concentrations of asbestos may exceed ambient background levels. Signs shall be posted to permit a person to read the sign and take the necessary protective measures to avoid exposure before entering the work area.
- c) Shut down and lock out electric power to all contained areas on a daily basis. "Shut Down and Lock Out" means to switch off all electrical circuit breakers serving power or lighting circuits which run to, or through, the contained area. Label circuit breakers with tape over the breakers with the notation "DANGER, circuit being worked on". Lock the electrical door or panel with a separate lock, one key for the supervisor and one key for the project manager. No other personnel shall have keyed access to the electrical power in the contained area. Provide temporary power and lighting and ensure safe installation of temporary power sources and equipment in accordance with the National Electrical Code (see Section 855.10(c)(8)). All power to work areas shall be brought in from outside the area through ground-fault circuit interrupters at the source.
- d) Shut down and isolate heating, cooling, and ventilating air systems to prevent contamination and fiber dispersal to other areas of the structure. Remove all HVAC system filters and place in labeled six mil polyethylene or equivalent bags for disposal as

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- e) asbestos-contaminated waste. Clean the filter assembly and duct work using HEPA vacuums or wet cleaning techniques.
Seal off all openings to windows, corridors, doorways, skylights, ducts, grills, diffusers, and any other penetrations of the work areas, with six mil plastic or equivalent sheeting sealed with tape. Also seal all seams in system components that pass through the contained area. Doorways and corridors which will not be used during work must be sealed with barriers as described in Section 855.430.
- f) Proposed contained area.

- 1) Where friable ACM is present in the proposed contained area as defined in the asbestos management plan and/or project designer's specifications, the following shall be conducted by the contractor:

- A) Pre-clean movable objects within the proposed work areas using HEPA filtered vacuum equipment and/or wet cleaning methods, as appropriate, and remove such objects from work areas to a temporary location.

- B) Upholstered furniture and drapes shall be HEPA vacuumed twice before removal from the work area.

- C) Carpeting shall be removed and disposed of as asbestos-containing waste material, unless the following are complied with:

- i) Take one representative bulk sample from each homogeneous material which shall include the carpet fiber, the carpet backing, and the carpet mastic.

- ii) The bulk samples shall be analyzed by transmission electron microscopy (TEM).

- iii) If the samples are found to contain no asbestos fibers, the carpet may remain in place if protected from contamination. Cover carpets that have been reported as containing no asbestos fibers with two layers of six mil poly or equivalent or place 7/16" plywood or equivalent over the layer of six mil poly and then place two additional layers of six mil poly over the 7/16" plywood.

- iv) Upon completion of the abatement operations, the carpeting shall be re-sampled (as described in subsection (f)(C)(i) of this Section). If the carpet is reported to contain asbestos fibers, the carpet shall be removed and disposed of as asbestos-containing waste.

- D) Pre-clean fixed objects and specific equipment items which will remain within the proposed contained areas, using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate. The fixed objects shall then be wrapped with a minimum of one layer of six mil poly or equivalent.

- E) Pre-clean the proposed contained areas using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate.

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Methods that raise dust, such as dry sweeping or vacuuming with equipment not equipped with HEPA filtration, are prohibited. ACM shall not be disturbed during pre-cleaning.

- 2) Where no friable ACM is present in the proposed contained area as defined in the asbestos management plan and/or Project Designer's specifications, and where the abatement work scheduled consists of nonfriable ACM only, the following shall be conducted by the contractor:

- A) Remove all movable objects from the proposed work area to a temporary location.
- B) Wrap all fixed objects and specific equipment items which will remain in the proposed work areas with a minimum of one layer of six mil poly or equivalent.
- g) Clean the proposed contained areas using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate. Methods that raise dust, such as dry sweeping or vacuuming with equipment not equipped with HEPA filters, is prohibited.
- h) Provide a worker decontamination enclosure system in accordance with Section 855.410 before ACM is disturbed.
- i) Cover the floor and wall surfaces in contained areas with plastic sheeting sealed with tape. Use a minimum of two layers of six mil plastic or equivalent on floors (no plastic on the floor shall be required when the project consists solely of removal of floor tile and associated mastic) and two layers of four mil plastic or equivalent on walls. Cover floors first so that plastic extends at least 12 inches up on walls, then cover walls with plastic sheeting to the floor level, thus overlapping the floor material by a minimum of 12 inches. The plastic shall be sized to minimize seams. Seams shall be staggered and separated by a distance of at least six feet. In hallways where asbestos materials are adjacent to lockers, sheeting shall extend to the top of the lockers.
- j) Remove and clean ceiling-mounted objects such as light fixtures, electrical track, alarm systems, ventilation equipment and other items not previously sealed off, that interfere with asbestos material removal. Use localized water spraying or HEPA filtered vacuum equipment during fixture removal to reduce fiber dispersal.

k) Ceiling tiles.

- 1) Except as specified in subsection (k)(2) of this Section, suspended ceiling tiles and components shall remain in place until the contained area has been plasticized and worker and equipment decontamination enclosures are in place and then removed and disposed of as asbestos-contaminated waste.
- 2) Where no friable ACM is present in the proposed work area as defined in the asbestos management plan and/or project designer's specification, in lieu of removal and disposal of suspended ceiling tile and components, the following shall be conducted:
 - A) Suspended ceiling tiles and components may remain in the

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proposed work area if isolated from the proposed work area by erection of work place barriers consisting of a minimum of one layer of six mil poly or equivalent.

- B) Suspended ceiling tiles may be removed from the proposed work area prior to erection of the work area decontamination unit. Ceiling tiles may be stored in a temporary location and re-installed after acceptable final air clearance sampling has been completed and the contained area tear down is completed.

- l) Maintain emergency and fire exits from the work areas or establish alternative exits.
- m) Dispose of all materials inside the contained area (scrap poly, towels, spray cans, enclosure barriers, etc.) as ACM, with the exception of tools, equipment, rubber boots, and other cleanable, reusable items. Tools, equipment, and other reusable items shall be wet wiped and wrapped in six mil poly before removing them from the work area.

Section 855.410 Worker Decontamination Enclosure System

The contractor shall construct or provide a worker decontamination enclosure system in accordance with the following:

- a) Worker decontamination enclosure systems shall be provided at all locations where workers will enter or exit the work area. These systems may consist of existing rooms outside of the work area, if the layout is appropriate, that can be enclosed in plastic sheeting and are accessible from the work area. When this situation does not exist, enclosure systems may be constructed out of metal, wood or plastic support as appropriate, or a portable unit may be utilized (see Appendix A, Illustration D).
- b) Worker decontamination enclosure systems constructed at the worksite of plastic sheeting installed over a framework shall utilize six mil opaque polyethylene or equivalent strength sheeting.
- c) The worker decontamination enclosure system shall consist of at least a clean room, a shower room, and an equipment room, separated from each other by airlocks.
- d) Entry to and exit from all airlocks and decontamination enclosure system chambers shall be through curtained doorways.
- e) Access between any two rooms in the decontamination enclosure system shall be through an airlock with at least three feet separating each curtained doorway. Pathways into (from clean to contaminated) and out from (contaminated to clean) the work area shall be clearly designated.
- f) The clean room shall be sized to accommodate the clothes and equipment of the work crew. Benches shall be provided, as well as hooks for hanging up street clothes. Lockers may be provided for valuables; however, workers may be requested to secure valuables elsewhere. Shelves for storing respirators shall also be provided in this area.

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Clean work clothes (if required under disposables), clean disposable clothing, replacement filters for respirators, towels and other necessary items shall be provided in the clean room. A location for postings shall also be provided in this area. A lockable door shall be used to permit access into the clean room from outside the work area. This space shall not be used for storage of tools, equipment, or materials, or as office space.

g) The shower room shall contain one or more showers to accommodate workers. Each shower head shall be supplied with hot and cold water adjustable at the tap. The shower enclosure shall be constructed to ensure against leakage of any kind. Soap, shampoo and towels shall be supplied by the contractor and shall be available at all times. Shower water shall be drained, collected and filtered through a system with at least 5.0 micron particle size collection capability. A system containing a series of several filters with progressively smaller pore sizes shall be used to avoid rapid clogging of the filtration system by large particles. Filtered wastewater shall be discharged to a sanitary sewer.

h) The equipment room shall be used for storage of equipment and tools at the end of a shift after decontamination using a HEPA filtered vacuum and/or wet cleaning techniques. Replacement filters (in sealed containers until used) for HEPA vacuums and negative pressure ventilation equipment, extra tools, containers of surfactant and other materials and equipment that may be required during the abatement may also be stored here as needed. A labeled six mil polyethylene or equivalent bag for collection of disposable clothing shall be located in this room. Contaminated footwear (e.g., rubber boots and other reusable footwear) shall be stored in this area for reuse.

Section 855.420 Remote Decontamination Enclosure System

a) A remote worker or equipment decontamination enclosure system may be used when the asbestos abatement work occurring in a contained area in a school is restricted to the removal of nonfriable ACM by a method which does not cause the ACM to become friable, or removal of thermal system insulation by use of a glovebag technique.

b) Worker access to and from a contained area must be through an airlock.
c) If a worker decontamination enclosure system attached to a contained area is to be used as a remote decontamination enclosure system for work conducted in other contained areas, access to the worker decontamination enclosure system consisting of one of the following methods may be provided, and shall be provided when it is not feasible for the equipment decontamination enclosure system to be used for this purpose:

- 1) An airlock attached to the equipment room of the decontamination enclosure system.
- 2) A two-stage airlock, consisting of two airlocks in series, which provides access directly to the contained area connected to the

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worker decontamination enclosure system.

3) If only nonfriable removal or removal by a glovebag technique is to be conducted in the contaminated area having the attached worker decontamination enclosure system, an airlock attached to the contained area.

d) Setup of the remote decontamination enclosure system shall be in accordance with Section 855.410.

e) The remote decontamination enclosure system shall be located inside the separation barriers and shall be in accordance with Section 855.430(b).

f) The following procedures shall be used with a remote decontamination enclosure system:

1) Licensed asbestos workers shall don respiratory protection and two pairs of protective coveralls prior to entering the contained removal area.

2) After completion of the removal and cleaning, the worker shall HEPA vacuum the outer suit, enter the airlock, remove the outer suit and dispose of it as asbestos-contaminated waste.

3) Still wearing the inner suit and respiratory protection, the worker shall either proceed to another containment, don a second suit and enter, or proceed to the remote decontamination enclosure system.

4) The remote decontamination enclosure system shall consist of a five chamber unit as illustrated in Section 855. Appendix A, Illustration D.

5) A HEPA filtered negative air pressure unit shall be attached to the remote decontamination enclosure system at the equipment room end. The negative air unit shall be exhausted to the exterior of the building and shall operate in accordance with Section 855.380.

6) The remote decontamination enclosure system shall be wet cleaned after the completion of abatement and have a 12 hour settling period prior to the collection of air samples.

7) One aggressive air sample shall be taken in the equipment room and analyzed by phase contrast microscopy (PCM) for clearance following US EPA Asbestos Hazard Emergency Response Act (AHERA) clearance standards. If the decontamination enclosure system does not meet clearance requirements, then the above mentioned procedure shall be repeated until clearance is obtained.

Section 855.425 Equipment Decontamination Enclosure System

The contractor shall provide or construct an equipment decontamination enclosure system consisting of two totally enclosed chambers as follows:

- a) The washroom or cleanup room shall be constructed with a curtained doorway to a designated area of the work area and a curtained doorway to the holding area.
- b) The holding area shall be constructed with a curtained doorway to the

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washroom and a lockable door to the exterior of the building.

Section 855.430 Separation Barriers

- a) Enclosure of Contained Areas
 - 1) Separation barriers may be erected to enclose a work area.
 - 2) Barriers constructed to enclose a contained area shall be of 1/2 inch minimum thickness plywood, gypsum board or similar sheathing material with any framing required to properly support the barriers. Framing shall be on the outside of the barrier (outside the contained area). Gypsum board and similar cementitious material shall be protected on the work side from damage from moisture, such as by painting or by covering with polyethylene sheeting. All seams and edges of the barriers shall be caulked, or the work side of the barrier shall be covered with one layer of six mil polyethylene or equivalent sheeting with overlapping seams and taped seams and edges.
 - 3) If the space on the outside of the barrier is not occupied and is secured so that there is no access by building occupants, including custodial and maintenance employees, the barrier may be constructed of lumber or metal framing with a maximum on-center spacing of 24 inches, with two layers of polyethylene sheeting with staggered joints applied to each side of the framing. Edges and seams must be taped.
 - 4) Preparation of the work side of the barrier shall be completed in accordance with Section 855.400(a), with plastic sheeting applied to the constructed barriers in lieu of existing walls or floor.
- b) Separation of Secured Areas from Occupied Areas
 - 1) Barriers shall be erected by the contractor where necessary to prevent possible access by building occupants to areas where asbestos project activities will occur.
 - 2) Barriers erected to separate occupied areas of the building from secured areas, and that will not serve as containment barriers, shall be constructed of 1/2 inch minimum thickness plywood, gypsum board, or similar sheathing material with sufficient framing to properly support the barrier.
 - 3) The barrier shall extend from the floor level to within six inches of the ceiling or to a height of eight feet above the floor.
 - 4) If access through the barrier by abatement workers is required, an entrance with a lockable door shall be installed in the barrier.
 - 5) In lieu of separation barriers erected to prevent access to the work area through lockable doors in accordance with subsection (b)(4) above, existing door locks shall be re-cylindrical.
- c) The contractor shall exercise due caution to prevent disturbance of friable ACBM during the placement of separation barriers.

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Section 855.440 Maintenance of Decontamination Enclosure Systems and Workplace Barriers

- a) Following completion of the construction of all polyethylene barriers and decontamination system enclosures, the contractor, or his designated representative, and project manager shall allow a minimum of six hours settling time to ensure that barriers will remain intact and secured to walls and fixtures before beginning actual abatement activities. The negative air pressure equipment shall be in operation during this settling time.
- b) All polyethylene barriers inside the work area, in the worker decontamination enclosure system, and in the equipment decontamination enclosure system, and partitions constructed to isolate the work area from occupied areas, shall be inspected by the contractor and project manager at least twice daily. The barriers shall be inspected before the start of and following the completion of the day's abatement activities. Inspections and observations shall be documented in all project log books.
- c) Damage and defects in the enclosure system shall be repaired upon discovery.
- d) Smoke tubes shall be used by the contractor to test the effectiveness of the work area barrier system before abatement work begins and at least once a day thereafter until the work is completed. The project manager shall observe the test. Results and observations shall be documented in all project log books.
- e) At any time during the abatement activities after barriers have been erected, if visible emissions are observed outside of the work area or if damage occurs to barriers, work shall stop, repairs shall be made to the barriers, and visible residue cleaned up using appropriate HEPA vacuuming and wet mopping procedures prior to resuming abatement activities.
- f) The contractor shall HEPA vacuum or wet clean the equipment decontamination enclosure system and the entire worker decontamination enclosure system at the end of each day of abatement activities. If air samples collected outside of the work area during abatement activities indicate airborne fiber concentrations greater than original background levels or 0.01 f/cc as determined by PCM, work shall stop for inspection and repair of barriers. Cleanup of surfaces outside of the work area using HEPA vacuums or wet cleaning techniques shall be done. Air sampling shall indicate a fiber concentration less than background levels, or below 0.01 f/cc as determined by PCM, prior to resuming abatement activities. (See Section 855.340(b)(2)(B)(iii).)
- h) Negative pressure ventilation equipment shall be installed and operated to provide a minimum of four air changes in the work area every hour. Openings made in the enclosure system to accommodate these units shall be made airtight with tape and/or caulking. If more than one ventilation unit is installed, units shall be turned on one at a time while checking the integrity of wall barriers for secure

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attachment and the need for additional reinforcement. A power supply shall be available to satisfy the requirements of the ventilating units. Negative pressure ventilation units shall be exhausted to the outside of the building away from occupied areas. Twelve inch extension ducting shall be used to reach from the work area to the outside of the building when ducting is required. Careful installation, air monitoring and daily inspections by the contractor and project manager shall be done to insure that the ducting does not release fibers into uncontaminated building areas.

- i) Once constructed and reinforced, and with negative pressure ventilation units in operation, worker and equipment decontamination enclosures shall be tested for leakage by the contractor, utilizing smoke tubes. The project manager shall observe these tests. Enclosures shall be repaired or reconstructed as needed. Results and observations shall be documented in all project log books.
- j) The contractor shall identify and maintain emergency and fire exits from the work area.

Section 855.450 Commencement of Work

The contractor shall not begin abatement work until the following requirements have been met:

- a) Enclosure systems shall be constructed and tested.
- b) All pre-abatement submissions, notifications, postings and permits shall be provided and are satisfactory to the project manager.
- c) All equipment for abatement, cleanup and disposal shall be on hand.
- d) All worker training and licensing shall be completed.
- e) Arrangements shall be made for building security.
- f) The number of clearance air samples and the specific sample locations shall be established in conjunction with the air sampling professional before abatement activity begins (see Section 855.470).
- g) The contractor shall receive written permission from the building owner to commence abatement. Such written permission shall be submitted to the Department attached with the Notice of Asbestos Abatement Form provided by the Department.
- h) The building owner shall notify all parents, faculty and staff of the pending abatement project and notify the contractor with written verification of such notification. Such written verification shall be submitted to the Department by the contractor attached to the Notice of Asbestos Abatement Form provided by the Department.
- i) The contractor shall be responsible for providing personal protection for its employees according to the OSHA Construction Standard 29 CFR 1926.1101 (effective October 11, 1994).

Section 855.460 Removal Procedures

The contractor shall remove ACM in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with

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Sections 855.400, 855.410, 855.420, 855.425, 855.430, 855.440 and 855.450.

- b) All ACM shall be wetted with an amended water solution using equipment capable of providing a fine spray mist in order to reduce airborne fiber concentrations when the material is disturbed. The material shall be saturated to the substrate; however, excessive water shall not be allowed to accumulate in the work area. All removed material shall be kept wet enough to prevent fiber release until containerized for disposal. A high humidity in the work area shall be maintained by misting or spraying to assist in fiber settling and to reduce airborne concentrations.
- c) Saturated ACM shall be removed and containerized before moving to a new location for continuance of work. Surrounding areas shall be periodically sprayed and maintained in a wet condition until visible material is cleaned up.
- d) Material removed from building structures or components shall not be dropped or thrown to the floor. Material shall be removed as intact sections or components whenever possible and carefully lowered to the floor. If this cannot be done for materials greater than 50 feet above the floor, a chute which does not allow dust to escape shall be constructed to transport the material to containers on the floor or the materials shall be containerized at elevated levels (e.g., on scaffolds) and carefully lowered to the ground by mechanical means. Materials between 15 and 50 feet above the ground may be containerized at elevated levels or dropped onto inclined chutes for subsequent collection and containerization.
- e) Containers (six mil polyethylene or equivalent labeled bags or labeled drums) shall be sealed when full. ACM shall be double bagged when polyethylene bags are used for disposal. Double bagging shall occur in the work area. Bags shall not be overfilled. The bags shall be sealed to prevent accidental opening and leakage by tying the tops in an overhand knot or by taping in gooseneck fashion. Bags shall not be sealed with wire or cord. Bags may be placed in drums for staging and transportation to the landfill. Bags shall be decontaminated on exterior surfaces by wet cleaning before being placed in clean drums and sealed with locking ring tops.
- f) Large components shall be wrapped in two layers of six mil polyethylene or equivalent sheeting, secured with tape and labeled ACM prior to transport to the landfill.
- g) Asbestos-containing waste materials with sharp-edged components (e.g., nails, screws, metal lath, tin sheeting, floor tile, and metal ceiling components) which may tear the polyethylene bags or sheeting shall be placed into drums for disposal. In lieu of disposal drums, floor tile may be wrapped in two layers of reinforced plastic or one layer of burlap and two six mil labeled polyethylene or equivalent bags.
- h) After completion of stripping of ACM, surfaces from which asbestos-containing building materials have been removed shall be cleaned (e.g., wet brushed and sponged) to remove all visible residue.

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The contractor shall perform the cleanup in accordance with the following procedures:

- a) The negative pressure ventilation units shall remain in continuous operation.
- b) Decontamination enclosure systems shall remain in place, remain functional at all times, and be utilized.
- c) All visible accumulations of ACM and asbestos-contaminated debris shall be removed and containerized. Tools which are not electrically conducting and which have no sharp edges or corners likely to tear containment barriers (e.g., rubber dust pans, rubber squeegees, or plastic shovels) shall be utilized.
- d) All containerized waste shall be removed from the work area and the holding area on a daily basis. The contractor may temporarily store ACM in large metal, locked dumpsters or an enclosed truck at the abatement site. At the conclusion of the abatement project, all temporarily stored ACM shall be removed from the abatement site and be transported to a regulated landfill location approved for disposal of asbestos-containing waste.
- e) The contained area shall be thoroughly cleaned in accordance with the following procedures:
 - 1) First cleaning: all surfaces in the contained area shall be wet cleaned using rags, mops and sponges. To pick up excess water and gross wet debris, a wet-dry shop vacuum may be used. If a shop vacuum is used, it shall be decontaminated prior to removal from the contained area. The contractor shall then wait a minimum of 12 hours before proceeding with clean-up.
 - 2) At the conclusion of the 12 hour waiting period, if no water is visible on surfaces, the cleaned first layer of plastic sheeting shall be removed from the walls and floors. The sheeting shall be folded inward and bagged for disposal.
 - 3) Second cleaning: the second layer of plastic sheeting and all objects and surfaces in the contained area shall be HEPA vacuumed and/or wet cleaned. The contractor shall then wait a minimum of 12 hours before proceeding to the next step.
 - 4) If no visible moisture remains on surfaces in the contained area at the conclusion of the 12 hour period, the cleaned second layer of plastic sheeting shall be removed from the walls and floors. The sheeting shall be folded inward and bagged for disposal.
 - 5) Third cleaning: windows, doors, HVAC system vents and all other openings shall remain sealed. All objects and surfaces in the work area shall be HEPA vacuumed and wet cleaned. The contractor shall wait a minimum of 12 hours drying time before proceeding.
 - 6) If all surfaces in the contained area are dry at the end of the 12 hour period, the contractor shall inspect the contained area for visible residue. If any accumulation of residue is observed, the residue will be assumed to be asbestos and the process

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described in step 5 shall be repeated.

Section 855.470 Clearance Air Monitoring and Analysis

- a) Following the completion of Section 855.465, cleanup procedures, the contractor shall notify the project manager that contained areas are ready for clearance air monitoring.
- b) The project manager shall conduct a visual inspection of the contained area. The project manager shall document the findings of the inspection. If the project manager finds the contained area to be clean, he or she shall then arrange for the air sampling professional to sample the air in the work area and adjacent areas for airborne fiber concentrations. The air sampling professional shall conduct clearance air monitoring as explained in this Section.
- c) Sampling shall not begin until at least 12 hours after wet cleaning has been completed. Air sampling may not be conducted unless all surfaces in the contained area are dry.
- d) The HEPA filtered negative air pressure equipment shall be in operation in the contained area during clearance air monitoring.
- e) The air sampling procedures and analysis shall be conducted in accordance with Asbestos Hazard Emergency Response Act (AHERA) (40 CFR 763) and Section 855.340(b)(1) requirements.
- f) Air sampling equipment shall be placed randomly in the work areas, but shall not be placed in corners of rooms or near obstructions.
- g) The following aggressive sampling techniques shall be used during all clearance air monitoring:
 - 1) Before sampling begins, the exhaust from forced air equipment (such as a one horsepower leaf blower) shall be directed against all walls, ceilings, floors, ledges and other surfaces in the room. This procedure requires at least five minutes per 1,000 sq. ft. of floor.
 - 2) 20-inch fans shall be used for air circulation during the sampling procedure. The fan exhaust shall be directed toward the ceiling. The fans shall be operated on the lowest speed setting. Fans shall be operated in the center of each room where sampling will take place. At least one fan per 10,000 cubic feet of room space shall be used.
- h) The air sampling professional shall report the clearance air monitoring results in writing to the project manager.
- i) If the air sampling results indicate a concentration of airborne asbestos fibers in excess of AHERA clearance criteria (70 structures per millimeter squared), the contractor shall re-clean the contained area. The contractor shall not be released until the contained area meets AHERA clearance criteria.

Section 855.475 Disposal Procedures

- a) Sealed and labeled containers of asbestos-containing waste material

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shall be removed and transported to a prearranged disposal location.

b) All dump receipts, trip tickets, transportation manifests and/or other documentation of disposal shall be delivered to the building owner for his records. A recordkeeping format utilizing a chain-of-custody form shall include the names and addresses of the building owner, contractor, pickup site, disposal site, the estimated quantity of the asbestos waste and the type and number of containers used. The form shall be signed by the building owner, the contractor, and the disposal site operator, as the material changes custody. If a separate hauler is employed, his name, address, telephone number and signature shall also appear on the form.

c) The contractor shall transport asbestos materials in accordance with the following procedures:

- 1) Drums, bags and wrapped components that have been removed from the work area shall be loaded into an enclosed truck for transportation. Cargo areas shall be locked when unattended.
- 2) The enclosed cargo area of the truck shall be free of debris and lined with six mil polyethylene or equivalent sheeting to prevent contamination from leaking or spilled containers. Floor sheeting shall be installed first and extend up the side walls. Wall sheeting shall overlap by six inches and be taped into place.
- 3) Drums shall be placed on level surfaces in the cargo area and packed tightly together to prevent shifting and tipping. Large structural components shall not be placed on top of bags of asbestos-containing materials and shall be secured to prevent shifting. Containers shall not be thrown into the truck cargo area.
- 4) Personnel loading asbestos-containing waste shall be licensed workers and shall be protected by disposable clothing, including head, body and foot protection and, at a minimum, half-facepiece, air-purifying, dual cartridge respirators equipped with high efficiency HEPA filters.
- 5) Any debris or residue observed on containers or surfaces outside of the work area resulting from cleanup or disposal activities shall be immediately cleaned up using HEPA filtered vacuum equipment and/or wet methods.
- 6) Dumpsters or enclosed cargo areas of trucks used for asbestos waste storage or disposal shall be constructed of metal and have metal doors and metal tops that can be closed and locked to prevent vandalism, wind dispersion of asbestos fibers, or other disturbance of bagged asbestos debris. Unbagged material and nonasbestos waste shall not be placed in these containers. Bags shall be placed, not thrown, into these containers to avoid splitting.
- 7) Asbestos-containing waste materials shall be transported directly to the landfill. Temporary storage at a location other than the abatement project shall not be permitted.
- d) The contractor shall dispose of asbestos materials in accordance with

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the following procedures:

- 1) Upon reaching the landfill, trucks shall approach the dump location as closely as possible for unloading of the asbestos-containing waste.
- 2) Bags, drums and components shall be inspected when off-loaded at the disposal site. Material in damaged containers shall be repacked in empty drums or bags.
- 3) Waste containers shall be placed on the ground at the disposal site, not pushed or thrown out of trucks (the weight of the wet material could rupture containers).
- 4) Personnel off-loading containers at the disposal site shall wear protective equipment consisting of disposable head, body and foot protection and, at a minimum, half-facepiece, air-purifying, dual cartridge respirators equipped with high efficiency HEPA filters.
- 5) Following the removal of all containerized waste, the truck cargo area shall be decontaminated using HEPA vacuums and/or wet methods. Polyethylene sheeting shall be removed and discarded in bags or drums along with contaminated cleaning materials and protective clothing daily.

Section 855.480 Glovebag Procedures

Glovebag procedures for repair or removal of pipe insulation shall be conducted using commercially available glovebags of six mil clear polyethylene or equivalent, appropriately sized for the project. Glovebag procedures for the repair or removal of pipe insulation shall be conducted in a mini-containment area (including the floor) constructed of one layer of six mil polyethylene in the shape of a triangle or rectangle, or the work area shall be prepared according to all parts of Section 855.400, except in lieu of two layers of polyethylene being applied to the walls and floors according to Section 855.400(i), the walls and floors of the work area shall be covered with one layer of six mil polyethylene. Negative air pressure may be provided by HEPA vacuum cleaning equipment. The HEPA vacuum exhaust may discharge to the interior or exterior of the building.

- a) All necessary tools and materials shall be brought into the work area before the glovebag procedure begins.
- b) The air sampling professional shall collect the following air samples in each contained area:
 - 1) One area air sample.
 - 2) One area sample at each discharge from the exhaust of negative pressure ventilation equipment.
- 3) After the first cleaning, the contractor shall wait a minimum of 12 hours drying time and no visible water or condensation shall remain. After the second cleaning, the contractor shall wait a minimum of 12 hours drying time and no visible water or condensation shall remain. Final air clearance shall be conducted by the air sampling professional.
- c) Glovebag procedures shall be done by a minimum of two licensed

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asbestos workers trained in glovebag procedures and equipped with full personal protective equipment. Full personal protective equipment means the entire body is covered with disposable clothing including head, torso, arms, legs and feet. Hands may be left exposed to provide greater mobility. Respirator protection shall be provided and shall consist of a minimum of an air purifying respirator with a HEPA filter.

- d) The outer diameter of pipe insulation to be removed shall not exceed one half of the bag's working length/height above the attached gloves.
- e) The bag is to be attached securely around the insulation in a manner to prevent air transfer.
- f) The integrity of the glovebag seal shall be smoke tested. The contents of a smoke tube shall be injected through the water port access sleeve of the bag. After twist sealing the access sleeve, the bag shall be squeezed gently to check for leakage points, which are then taped airtight.
- g) If the pipe insulation adjacent to the section which will be worked on is damaged, or if the pipe insulation terminates, is jointed, or contains an elbow adjacent to the work section, the adjacent insulation shall be wrapped in six mil polyethylene sheeting and sealed airtight with duct tape.
- h) The ACM within the secured glovebag shall be wetted with amended water prior to removal.
- i) After the insulation has been repaired or removed, the unprotected pipe shall be sprayed with amended water and scrubbed with a bristle or nylon brush to remove all visible ACM. The pipe, the interior of the bag, the insulation, and the tools shall then be sprayed with amended water. The enclosed atmosphere shall be misted, and sufficient time shall be allowed for the mist to settle out before breaking the seal to remove the glovebag.
- j) Any exposed pipe insulation ends or repairs created by this procedure shall be:
 - 1) sealed with encapsulant prior to bag removal, or
 - 2) thoroughly wetted before bag removal and sealed with wettable cloth end caps and spray glue or any combination of these materials immediately following bag removal.

- k) The tools shall be pulled through with one or both glove inserts, thus turning the gloves inside out. The glove(s) are then twist sealed forming a new pouch, taped and severed mid-seal forming two separate bags.

- l) A HEPA vacuum shall be used for evacuation of the glovebag in preparation for removal of the bag from the pipe or duct, for clean-up in the event of a spill, and for post project clean-up.
- m) With the glovebag collapsed and the ACM in the bottom of the bag, the bag shall be twisted several times and taped to seal that section during bag removal.
- n) A six mil polyethylene or equivalent in strength bag shall be slipped around the glovebag while it is still attached to the pipe. The

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glovebag shall be detached from the pipe.

- o) The asbestos-contaminated waste, the clean-up materials, and protective clothing shall be wetted sufficiently, double-bagged minimizing air content, sealed separately, and disposed of in conformance with Section 855.475.
- p) The contractor or school (for maintenance employees) shall provide, at a minimum, air purifying respirators with HEPA filters in compliance with OSHA regulations 29 CFR 1926.1101(h) and USEPA regulations 40 CFR 763, Subpart IV.

Section 855.490 Response Contractor Indemnification Fund (School Project Only)

- a) Contracts under the Response Action Contractor Indemnification Act shall be submitted to the Department for review along with the following:
 - 1) A completed Response Contractor Indemnification Worksheet provided by the Department.
 - 2) A listing of all Department licensed asbestos professionals named in the contract, their disciplines, and the Department I.D. numbers for that discipline.

- b) The local educational agency seeking indemnification under the Response Action Contractor Indemnification Act shall submit an amount equal to 5% of the total value of the contract to the Department before the start of the project. The payment shall be delivered to the Division of Environmental Health, Illinois Department of Public Health, 525 West Jefferson, Springfield, IL 62761 along with the contract to be reviewed. All checks shall be made payable to the Illinois Department of Public Health for deposit into that fund.

- c) Approval by the Department of any contract for inclusion in the indemnification fund does not in any way constitute endorsement of the terms of said contract, either legal or technical, nor does it constitute any guarantee by this Department of the contractor's ability to complete the terms of said contract.

SUBPART E: FINES, PENALTIES AND ADMINISTRATIVE HEARINGS**Section 855.500 Adverse Licensure Action**

The Department shall provide written notice via certified mail of its decision to deny, suspend or revoke a license. The applicant or licensee shall have 15 days to submit a written request for an administrative hearing to contest the Department's decision. The Department's decision to deny, suspend or revoke a license shall be based upon one or more of the following reasons:

- a) The person has falsified information on the application for licensure.
- b) The person has performed duties outside the areas for which he is licensed.
- c) The person has conducted any asbestos abatement activities in a manner hazardous to the public health in Illinois or in any other state where

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- the person has acted in a similar capacity.
- d) The person has violated any provision of the Asbestos Abatement Act or the Commercial and Public Building Asbestos Abatement Act, as applicable, or this Part.
 - e) The person has violated the registration and licensing standards for Professional Engineers [225 ILCS 325], Structural Engineers [225 ILCS 340], Architects [225 ILCS 305] or Industrial Hygienists [225 ILCS 52], as applicable. The Department may use findings by the Department of Professional Regulation, Illinois EPA or adverse civil or criminal findings in a circuit court as a basis for its action.
 - d) The person has submitted fraudulent or altered documentation, license, or certificate to the Department, to a building owner or representative or agent thereof, or to a contractor.
 - e) The person has performed work requiring licensure at a job site without being in possession of the license and initial and current refresher certificates.
 - f) The person has permitted the duplication or use of his/her own license or training certificate by another.
 - g) The person has obtained training from a training provider which is not accredited by the Department.
 - h) The person has submitted an application fee which was returned for insufficient funds.

Section 855.510 Fines and Penalties

- a) In addition to any other action authorized by the Asbestos Abatement Act, the Commercial and Public Building Asbestos Abatement Act, or this Part, the Department may assess fines and penalties against a person for violation of any provision of the Asbestos Abatement Act, the Commercial and Public Building Asbestos Abatement Act, or this Part. The Department shall review each inspection report and stop work order according to criteria provided by this Section to determine whether a fine will be assessed, the amount of any such fine, and whether each day of violation shall constitute a separate violation for purposes of fine assessment.
- b) The Department shall consider the following criteria independently and aggregately to determine whether a fine shall be assessed:
 - 1) Whether a stop work order has been issued by the Department, and whether such order was strictly obeyed by the person.
 - 2) Whether the person has previously been cited for a violation of the Asbestos Abatement Act, the Commercial and Public Building Asbestos Abatement Act or rules, except that any previously cited violation shall not be considered if such violation was held to be unfounded or unapproved by a final order of the Department or by a court of competent jurisdiction, or if any previous citations for violation occurred more than three years prior.
 - 3) Whether the violation is of such nature as to result in the possibility of injury or other harm to the environment, to the

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- person's agents or employees, to the building owner, users, or occupants, or to the general public.
- 4) Whether the violation appears to be the result of any degree of negligence by the person or by the person's agents or employees.
 - 5) Whether the person demonstrated good faith efforts to correct the violation upon receipt of oral or written notice of the violation and whether such actions in fact corrected the violation.
 - 6) Whether the person is in possession of any falsified asbestos abatement license or certificate or represents themselves as authorized to conduct work without a valid license in a fraudulent manner.
 - 7) Whether the person falsified an inspection for asbestos containing building materials.
 - c) Criteria to determine the amount of a fine and/or penalty for a violation of any provision of the Asbestos Abatement Act, the Commercial and Public Building Asbestos Abatement Act, or of this Part are as follows. All amounts determined pursuant to these criteria shall be added together to determine the total fine against the person.
 - 1) First violation - the person may be issued a fine of up to \$1,000.
 - 2) Each day a violation exists shall constitute a separate or repeat violation.
 - 3) Repeat violation - the person shall be issued a minimum fine of \$1,000 plus additional fines calculated according to the following criteria:
 - A) For each stop work order: \$1,000 plus \$1,500 per work day during which such order is in effect and during which the condition(s) upon which the order is based remains uncorrected.
 - B) For each violation which may cause or result in harm or injury to the health or safety of the agents or employees of the person present at the work site (e.g., improper protective equipment or a contaminated clean room): \$100 multiplied by the number of such agents or employees present at the work site at any time on the date of the violation.
 - C) For each violation which may cause or result in harm or injury to the health or safety of the building owners, users, or occupants of the building (e.g., a tear in a polyethylene barrier between a work area and an occupied area): \$100 multiplied by the number of persons present at the work site or in the building at any time on the date of the violation.
 - D) For each violation which may cause or result in contamination with asbestos fibers of any part of the building other than the work site (e.g., a tear in a polyethylene barrier): \$1,000.
 - 4) For a third violation of a provision of the Asbestos Abatement

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Act, the Commercial and Public Building Asbestos Abatement Act, or this Part, a licensee, in addition to the fines and penalties in subsection (c)(3) of this Section, may have his or her license denied, suspended or revoked.

- 5) Notwithstanding any other provision of this Part, the Department may at any time, upon a finding of five or more violations which may cause or result in harm or injury to the health and safety of persons during the same inspection, assess a fine and/or penalty pursuant to subsections (c)(3) and (4) of this Section.
- d) The Department shall serve notice of fine and/or penalty assessments, and provide the same rights and opportunity for hearing, as provided in Section 6(c) of the Asbestos Abatement Act [105 ILCS 105/6(c)], Section 20 of the Commercial and Public Building Asbestos Abatement Act [225 ILCS 207/20], and this Section. In the event a person fails to request a hearing within the time provided in the notice, the person shall be deemed to have waived the right to an administrative hearing, and the fine and/or penalty shall be due immediately upon issuance of a final order by the Department in the action.
- e) All fine and/or penalty assessments which are upheld in whole or in part by final order of the Department shall be due in full at the conclusion of the time period for filing for administrative review pursuant to the Administrative Review Law [735 ILCS 5/Art. III], unless the person has within that time filed proceedings in administrative review specifically appealing the fine and/or penalty assessment and unless the court has stayed enforcement of the fine and/or penalty assessment.

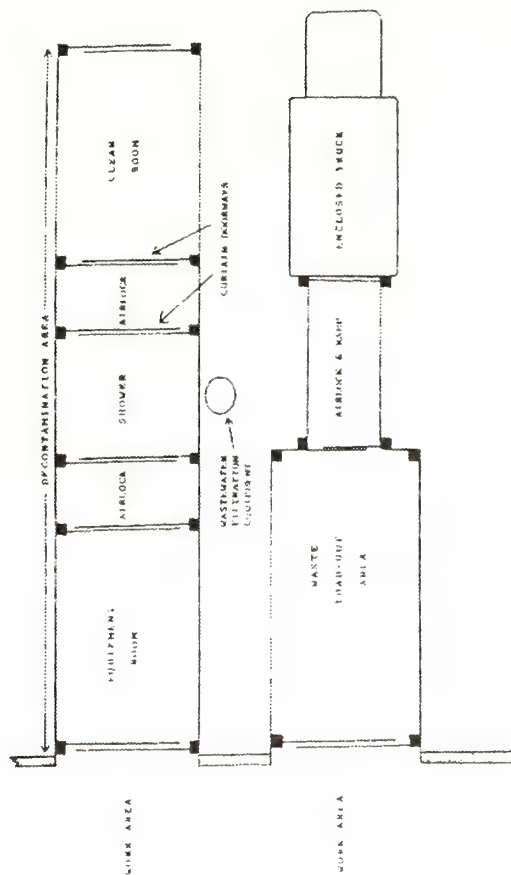
Section 855.520 Administrative Hearings

All hearings shall be conducted pursuant to the Commercial and Public Building Asbestos Abatement Act, the Asbestos Abatement Act, and the Department's Rules of Practice and Procedures in Administrative Hearings, 77 Ill. Adm. Code 100.

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Section 855. APPENDIX A - Project Form
ILLUSTRATION A - Worker and Equipment Decontamination Systems



Sketch of Typical Decontamination Area and Waste Load-out Area

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Section 855.APPENDIX B Illustrations-Inspection and Management Plan Forms**Section 855.ILLUSTRATION A Building Inspection for Friable and Nonfriable Materials**

School Building I.D.# _____ Inspection Completion Date _____

School District Name _____

School Official Name _____

School Building Name _____

School Building Address _____

City _____ State _____ Zip _____ Phone _____

Total Square Footage _____ Total School Occupancy _____

Total Past Occupancy _____

Total Man Hours For Inspection _____

Total Man Hours for the Report Preparation _____

Inspection Company _____ Phone _____

Company Address _____

City _____ State _____ zip _____

School Inspector's _____ I.D.# _____ Date
Signature

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Section 855. ILLUSTRATION B Inspection Report Form

Category _____

Sample Area I.D. _____ Inspection Date _____

School I.D.# _____

School Name _____

School Address _____

City _____ State _____ Zip _____

Room(s) _____ Sample Numbers _____

Inspector Name(s) and I.D.#(s) _____

Location of Area: _____

Description of Material Sampled: _____

Friability: High _____ Moderate _____ Low _____ Area Estimate: _____ Ft.

Water Damage: Yes _____ No _____ Pipe Diameter: _____ In.

Physical Damage: Heavy _____ Moderate _____ Low _____ None _____

Type of Wall: Smooth _____ Concrete _____ Gypsum _____ Board _____ Textured
Concrete _____ Masonry _____ Other _____Type of Floor: Concrete _____ Carpet _____ Tile _____ Wood
_____ Other _____Type of Ceiling: Acoustic Tile _____ Exposed Structure _____ Textured
Plaster _____

Accessibility:

Height of friable material from floor: _____ Ft.

Existence of barriers: Suspended Ceiling _____

Encapsulation _____ Other _____

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Proximity to items requiring maintenance: Electrical _____

Ventilation _____ Plumbing _____ Other _____

Less than 1 Ft. _____ More than 1 Ft.-Less than 5 Ft. _____

More than 5 Ft. _____

Ventilation Systems:

Vents near friable material: Yes _____ No _____

Distance _____ Ft. Return Grille _____ Supply Grille _____

Air Movement: Heavy _____ Moderate _____ Low _____

Activity and Movement:

Use of Room: _____

Activity: High _____ Moderate _____ Low _____

What is above the room? _____

What is adjacent to the room? _____

Comments: _____

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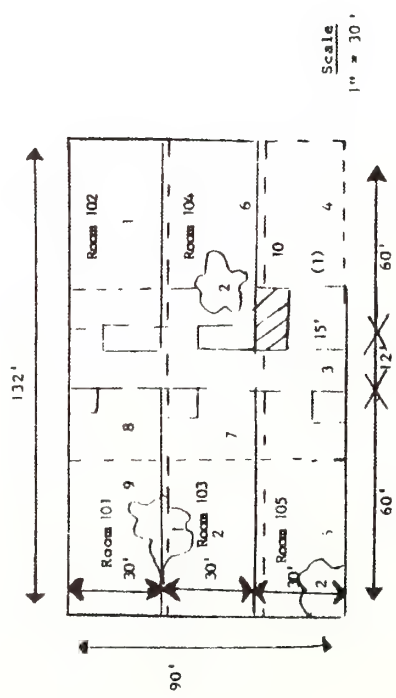
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Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms
Section 855. ILLUSTRATION C - Sampling Area Diagram (Ceiling and Floor)

Descriptions
Classroom Annex (Constructed in 1962)
Friable Ceiling Material - First Floor Classroom
Gray Textured spray finish
Stuccoed in appearance

Sampling area ID #1

All ceiling areas sketched below comprise sampling area (1), with one exception noted.



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(Measurements are inside dimensions)

- vii) Water Damage
- viii) Ceiling broken and falling
- ix) Stairwell ceiling not friable - not in sampling area (1)

School ID # _____ School Name _____
Address _____ Phone Number _____
Inspector Name & ID# _____ Date of Inspection _____
Diagram Prepared By _____ Date _____

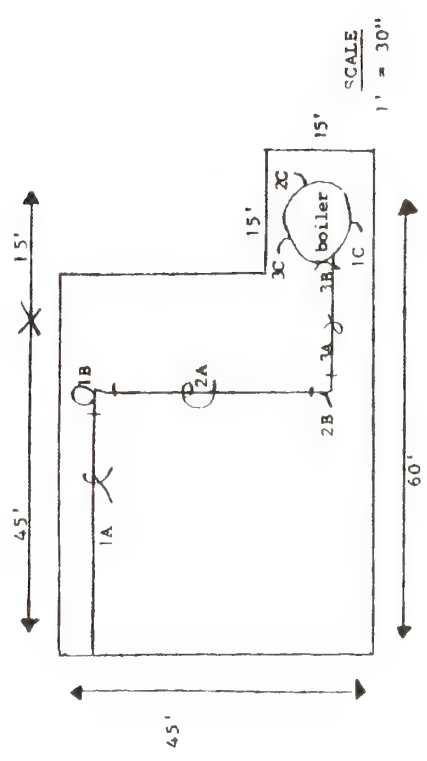
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Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms
Section 855. ILLUSTRATION D - Sampling Area Diagram (Boiler Room)

Description of Boiler Room
Construction 1957
Damaged friable pipe and boiler insulation
Grayish-white chalky material

Sampling Area ID# A, B, C



Each should be a separate diagram and sampling area. Each
Sample Area "A" - Pipe Insulation
Sample Area "B" - Pipe Joints
Sample Area "C" - Boiler Insulation
Note: Do not sample the above as one sample area

School I.D.# _____ School Name _____ Phone Number _____
Inspector Name & ID# _____ Date of Inspection _____
Diagram Prepared By _____ Date _____

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Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms
Section 855. ILLUSTRATION E - Random Sampling Table

For each sampling area, take the first sample from the center of subarea marked 1, take the second sample from the center of subarea marked 2, etc.

Sampling Area	Sampling Locations	Sampling Area	Sampling Locations	Sampling Area	Sampling Locations	Sampling Area	Sampling Locations
1	9 8 1 2 7 5 9 3 4	7	5 8 1 4 3 6 2 1 9	13	8 5 2 3 6 9 7 1 4		
2	8 7 1 3 9 5 4 2 6	8	5 7 1 6 3 4 2 8 9	14	4 1 6 3 9 7 8 5 2		
3	4 1 7 2 9 6 8 5 3	9	3 6 4 9 2 7 5 8 1	15	3 5 6 9 2 8 7 4 1		
4	6 1 8 5 9 3 2 7 4	10	5 7 3 8 1 6 2 9 4	16	4 8 3 2 5 9 7 1 6		
5	6 4 3 1 5 8 9 2 7	11	5 1 6 3 4 9 7 8 2	17	8 2 7 4 5 3 1 9 6		
6	7 4 3 6 1 5 2 9 8	12	7 1 9 2 4 5 6 8 3	18	2 5 9 6 1 8 4 7 3		

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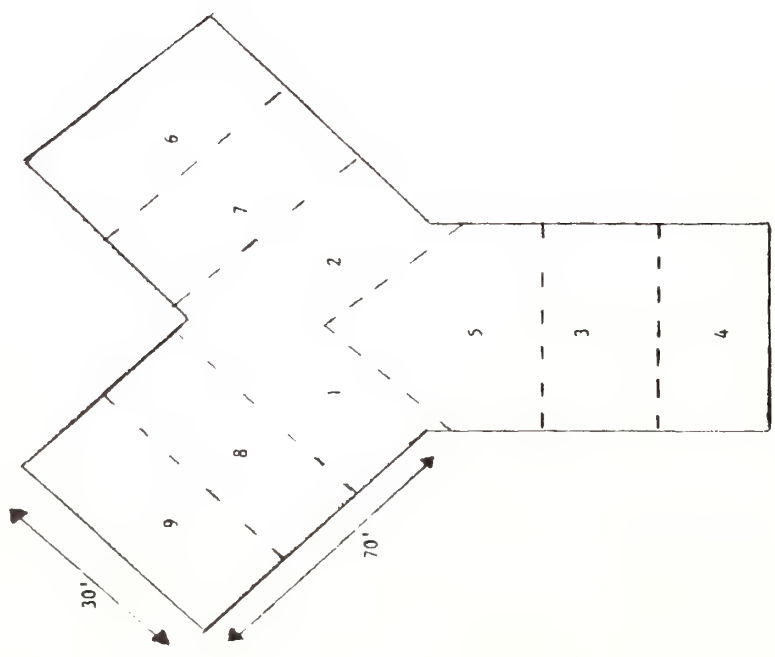
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Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms
Section 855. ILLUSTRATION F - Irregularly Shaped Random Sampling Area

Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms
Section 855. ILLUSTRATION G - Regular Shaped Random Sampling Area



Description:

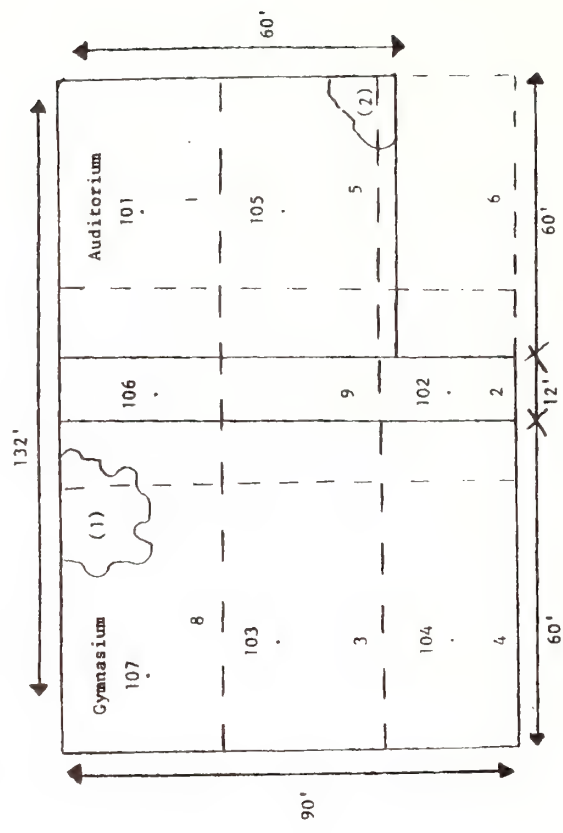
Activity Center Annex (Construction in 1962)

Gray textured spray with finish

Stuccoed in appearance

All ceiling areas sketched below comprise Sampling Area (2)

Sampling Area ID



(1) Water Damage

(2) Ceiling broken and falling

School: _____

Address: _____

Inspector: _____

Inspection Date: _____

School Official: _____

Telephone Number: _____

Diagram Prepared By: _____

Date: _____

Section 855. APPENDIX B - Illustrations - Inspection and Management Plan Forms

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Section 855. ILLUSTRATION H Protocol for Asbestos Management Plan

- a) The name and address of each school building and whether the school building contains friable ACM, and friable and nonfriable suspected ACM assumed to be ACM.
- b) For each expectation conducted:
- 1) The date of the inspection.
 - 2) A blueprint, diagram, or written description of each school building that identified clearly each location and approximate square or linear feet of any homogeneous or sampling area where material was sampled for ACM, and, if possible, the exact locations where each bulk sample was collected, date of collection, homogeneous areas where nonfriable suspected ACM is assumed to be ACM.
 - 3) A copy of the analyses of any bulk samples, dates of analyses, and a copy of any other laboratory reports pertaining to the analyses.
 - 4) A description of any response actions or preventive measures taken to reduce asbestos exposure, including the names, addresses and IDPH license I.D. numbers of all contractors involved, start and completion dates of the work, and results of any air samples analyzed during and upon completion of the work.
 - 5) A description of assessment, required to be made under 40 CFR 763.88, of material that was identified as friable ACM or friable suspected ACM assumed to be ACM, and the name, IDPH license I.D. number, signature and copies of accreditation certificates of the licensed inspector.
- c) For each inspection and reinspection conducted under 40 CFR 763.85:
- 1) The date of the inspection or reinspection and the name, IDPH license I.D. number and signature of each licensed inspector performing the inspection or reinspection.
 - 2) A blueprint, diagram, or written description of each school building that identifies clearly each location and approximate square or linear feet of homogeneous areas where materials were sampled for ACM, the exact location where each bulk sample was collected, date of collection, homogeneous areas where friable suspected ACM is assumed to be ACM, and where nonfriable suspected ACM is assumed to be ACM.
 - 3) A description of the manner used to determine sampling locations, and the name, IDPH license number and signature of each inspector collecting samples.
 - 4) A copy of the analyses of any bulk samples collected and analyzed, the name and address of any laboratory that analyzed bulk samples, a statement that the laboratory meets the applicable requirements of 40 CFR 763.87(a), the date of analysis, and the name and signature of the person performing the analysis.
 - 5) A description of assessments, required to be made under 40 CFR

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763.88, of all ACBM and suspected ACBM assumed to be ACBM, and the name, IDPH license I.D. number, signature and accreditation certificates of the licensed inspector.

- 6) The name, address, and telephone number of the person designated under 40 CFR 763.84 to ensure that the duties of the local education agency are carried out, and the course name, and dates and hours of training completed by that person to carry out the duties.

- 7) The recommendations made to the local agency regarding response actions, under 40 CFR 763.88(d), the name, IDPH license I.D. number and signature of each person making the recommendations.

- 8) A detailed description of preventive measures and response actions to be taken, including methods to be used, for any friable ACBM, the locations where such measures and action will be taken, reasons for selecting the response action or preventive measure and response action.

- 9) With respect to the person or persons who inspected for ACBM and who will design or carry out response actions, except for operations and maintenance, the person(s) shall be licensed in accordance with Section 855.100 of this Part.

- 10) A detailed description in the form of a blueprint, diagram, or in writing of any ACBM or suspected ACBM assumed to be ACBM which remains in the school once response actions are undertaken pursuant to 40 CFR 763.90. This description shall be updated as response actions are completed.

- 11) A plan for reinspection under 40 CFR 763.85, a plan for operations and maintenance activities under 40 CFR 763.91, and a plan for periodic surveillance under 40 CFR 763.92, a description of the recommendation made by the IDPH licensed management planner regarding additional cleaning under 40 CFR 763.91(c)(2) as part of an operations and maintenance program, and the response of the local education agency to that recommendation.

- 12) A description of steps taken to inform workers and building occupants, or their legal guardians, about inspections, reinspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.

- 13) An evaluation of the resources needed to complete response actions successfully and carry out reinspection, operations and maintenance activities, periodic surveillance and training.

- 14) With respect to each consultant who contributed to the management plan, the name, IDPH license I.D. number, and signature of the consultant.

- 15) A local education agency may require each management plan to contain a statement signed by a Department licensed management planner that such person has prepared or assisted in the preparation of such plan or has reviewed such plan, and that such plan is in compliance with Section 855.325 of this Part. Such

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statement may not be signed by a person who, in addition to preparing or assisting in preparing the management plan, also implements (or will implement) the management plan.

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Section 855. ILLUSTRATION I - Outline for Asbestos Management Plan

The management plan should be written to address all the requirements of the Asbestos Hazard Emergency Response Act as delineated in 40 CFR 763. However, the level of detail and presentation format should be easily understood and followed by individuals with limited technical background and expertise. The following is the format to be used by management planners for local educational agency facilities in Illinois:

Title Page:

Document title, name and address of school facility, name and IDPH license number of the inspector and management planner, date of inspection and building owner name and address.

Policy Statement:

A policy or position statement should be included to define the position of the building owner and management planner. This shall be signed by both parties.

Document Summary:

Prepared in accordance with guidance contained in 40 CFR 763.
 Procedure for updating the document (response action completion, interim 6 month and annual surveys).
 Responsible parties and certificates of documentation.

Table of Contents:

Sections and Appendices

Section I

General building description

General facility layout
 History of asbestos detection and abatement efforts
 Summary of the building inspection, including inspection protocol, number of samples collected, analytical protocol, quality control, and a listing of areas where ACM (Asbestos Containing Building Material) was identified

Section II

ACBM functional characterization, assessment, and responses (each homogeneous functional area is addressed separately).
 Narrative description
 ACBM physical assessment
 Hazard assessment
 Response action determined
 Health and safety measures

Section III

Surveillance and Reinspection

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6 month periodic surveillance, responsible personnel, tentative schedule, survey parameters, documentation provided

Three year reinspection, licensed inspector and management planner, tentative schedule, survey parameters, documentation provided

Section IV

Training

Mandatory 2 hours training session for maintenance and custodial personnel, responsible individuals, course content, tentative schedule
 Optional additional 14 hours for personnel potentially coming into contact with ACM, responsible individuals, course content documentation of training

Section V

Operation and maintenance (include a policy statement of the intent to integrate O & M with response actions, and that contractors will accomplish all cleaning, recleaning, patch and spot repairs, etc.)
 Posting requirements

Contingency plan for minor fiber release episodes and major fiber release episodes
 Asbestos coordinator responsibilities
 Method of notification
 Documentation

Appendix A

Bulk sample results

Appendix B

Response action documentation, including location of response action for each functional area, type of response action (e.g., removal, cleaning), names and addresses of all contractors, IDPH license I.D. numbers of all contractors, starting and completion dates of the work, results of pre-, during, and post-abatement air sampling data, type and quality of material involved, disposal, cost

Appendix C

Six month periodic surveillance records, including general description (visually surveyed for changes in material conditions), date of survey, and name of surveyor

Appendix D

Three year reinspection records, including name and IDPH license I.D. number, copies of the license and accreditation certifications of inspector and management planner, date of inspection, visual inspection summary assessment of material conditions (type and extent of damage, accessibility, etc.),

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record of any bulk samples collected with locations and analytical results

Appendix E Training documentation, including certificates of 2-hour training courses for custodial and maintenance personnel, name of person who conducted the training, and additional training certificates for asbestos worker training program

Appendix F Management Plan availability, including copies of notices posted and dates of such posting

The above format has been designed in such a way as to allow the inclusion of additional information as the asbestos program progresses. It should be recognized that the management plan, with its O & M component, is a dynamic document intended to inform the reviewer of the past history and the progress and accomplishment of the various response actions undertaken or to be implemented. The appendices serve this function by permitting the insertion of new data and records as the program progresses. In this way, the document remains current without having to make major changes to the narrative text, which can become costly, inconvenient, and time consuming. This format also allows the management planner to design the forms.

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1) Heading of the Part: Asbestos Abatement for Public and Private Schools in Illinois

2) Code Citation: 77 Ill. Adm. Code 855

3) Section Numbers: Proposed Action:

855.10	Repealed
855.20	Repealed
855.30	Repealed
855.40	Repealed
855.50	Repealed
855.55	Repealed
855.60	Repealed
855.70	Repealed
855.80	Repealed
855.90	Repealed
855.100	Repealed
855.110	Repealed
855.120	Repealed
855.130	Repealed
855.140	Repealed
855.150	Repealed
855.160	Repealed
855.170	Repealed
855.180	Repealed
855.190	Repealed
855.200	Repealed
855.210	Repealed
855.220	Repealed
855.230	Repealed
855.240	Repealed
855.250	Repealed
855.260	Repealed
855.270	Repealed
855.275	Repealed
855.280	Repealed
855.290	Repealed
855.300	Repealed
855.310	Repealed
855.320	Repealed
855.330	Repealed
855.340	Repealed
855.345	Repealed
855.350	Repealed
855.355	Repealed
855.360	Repealed
855.370	Repealed
855. APPENDIX A	Repealed

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855.ILLUSTRATION A Repealed
855.ILLUSTRATION B Repealed
855.ILLUSTRATION C Repealed
855.ILLUSTRATION D Repealed
855.APPENDIX B Repealed
855.ILLUSTRATION A Repealed
855.ILLUSTRATION B Repealed
855.ILLUSTRATION C Repealed
855.ILLUSTRATION D Repealed
855.ILLUSTRATION E Repealed
855.ILLUSTRATION F Repealed
855.ILLUSTRATION G Repealed
855.ILLUSTRATION H Repealed
855.ILLUSTRATION I Repealed
855.APPENDIX C Repealed
855.ILLUSTRATION A Repealed
855.ILLUSTRATION B Repealed
855.ILLUSTRATION C Repealed
855.ILLUSTRATION D Repealed
855.ILLUSTRATION E Repealed
855.ILLUSTRATION F Repealed
855.ILLUSTRATION G Repealed
855.ILLUSTRATION H Repealed
855.ILLUSTRATION I Repealed
855.ILLUSTRATION J Repealed

4) Statutory Authority: Authorized by and implementing the Asbestos Abatement Act [105 ILCS 105]

5) A Complete Description of the Subjects and Issues Involved: These rules, which apply to asbestos abatement in public and private schools, are being repealed and will be replaced with proposed rules that appear in this issue of the *Illinois Register*. The proposed rules will set standards and requirements for all asbestos abatement activities in schools and other commercial and public buildings. The new rules will clarify policy and implement the Commercial and Public Building Asbestos Abatement Act [225 ILCS 207].

6) Will this Rulemaking Replace an Emergency Rule Currently in Effect? No

7) Does this Rulemaking Contain an Automatic Repeal Date: No

8) Does this Rulemaking Contain any Incorporation by Reference? Yes

9) Are there any Other Proposed Amendments Pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create a State mandate on units of local government.

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11) Time, Place and Manner in which Interested Persons May Comment on this Rulemaking: Interested persons may present their comments concerning these rules by writing within 45 days after this issue of the *Illinois Register* to:

Gail M. DeVito
Division of Legal Services
Illinois Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, IL 62761
(217)782-2043
e-mail: rules@idph.state.il.us

In addition, two public hearings will be held at which interested persons may present oral testimony concerning the proposed rules. The Department asks that persons presenting oral testimony also bring a written copy of the testimony to the public hearing to be submitted to the hearing officer. These hearings are scheduled as follows:

March 27, 1998	March 31, 1998
10:30 a.m.	10:30 a.m.
Illinois Department of Agriculture	Room N502, 5th Floor
Auditorium	State of Illinois Building
Illinois State Fairgrounds	160 North LaSalle
(enter at Gate 11)	Chicago, Illinois
801 Sangamon Avenue	
Springfield, Illinois	

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses that perform asbestos abatement.

B) Reporting, Bookkeeping or Other Procedures Required for Compliance:

- Log of inspectors, management planners, project designers, air sampling professionals, project managers, asbestos abatement contractors, supervisors and training course sponsors.
- Documentation of training to be submitted to the Department by inspectors, management planners, project designers, air sampling professionals, project managers, contractors, supervisors and workers.

C) Types of Professional Skills Necessary for Compliance: Inspector must have experience and management planner must have experience of an inspector and a degree or must be a licensed architect, professional engineer, or structural engineer. Air sampling professional must

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have a degree and experience. Project designer must be a licensed architect or professional engineer. Project manager, supervisor and contractor must have experience.

- 13) Regulatory agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was included on the July 1995 agenda.

The full text of the proposed repealer begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER p: HAZARDOUS AND POISONOUS SUBSTANCE
PART 855
ASBESTOS ABATEMENT FOR PUBLIC AND PRIVATE
SCHOOLS IN ILLINOIS (Repealed)

Section	
855.10	Incorporation by Reference-Federal Regulations and Other Standards
855.20	Definitions
855.30	School Inspection and Hazard Assessment (Repealed)
855.40	Application Requirements and Disciplinary Standards
855.50	Contractor Licensing
855.55	Supervisor Licensing and Requirements
855.60	Submittals and Notices
855.70	Alternative Procedures and Variances
855.80	Personnel Protection
855.90	Workplace Entry and Exit Procedures
855.100	Equipment and Waste Container Removal Procedures
855.110	Building Protection
855.120	Materials and Equipment
855.130	Work Area Preparation and Demolition of a Facility
855.140	Worker Decontamination Enclosure System
855.150	Equipment Decontamination Enclosure System
855.160	Separation of Work Areas from Occupied Areas
855.170	Maintenance of Decontamination Enclosure Systems and Workplace Barriers
855.180	Commencement of Work
855.190	Removal Procedures
855.200	Encapsulation Procedures
855.210	Enclosure Procedures
855.220	Cleanup Procedures
855.230	Clearance Air Monitoring and Analysis
855.240	Disposal Procedures
855.250	Reestablishment of the Work Area and HVAC Systems
855.260	Asbestos Project Manager Licensing and Responsibilities, Air Sampling Professional Licensing and Responsibilities and Laboratory Services
855.270	Operations and Maintenance
855.275	Glovebag Procedures
855.280	Fines and Penalties
855.290	Asbestos Worker Licensing
855.300	Training Course Accreditation
855.310	Administrative Hearings
855.320	Emergency Stop Work Orders
855.330	State Funding and Priority Establishment
855.340	Inspector Licensing
855.345	Procedures for School Inspections

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- 855.350 Management Planner Licensing and Responsibilities
855.355 Management Plan
855.360 Project Designer Licensing and Responsibilities
855.370 Response Contractor Indemnification Fund
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ILLUSTRATION B Notice of Asbestos Abatement
ILLUSTRATION C Addresses for Asbestos Renovation Notices in Illinois
ILLUSTRATION D Worker and Equipment Decontamination Systems
APPENDIX B Illustrations - Inspection and Management Plan Forms
ILLUSTRATION A Building Inspection for Friable Materials and Nonfriable Materials
ILLUSTRATION B Inspection Report Form
ILLUSTRATION C Sampling Area Diagram (Ceiling and Floor)
ILLUSTRATION D Sampling Area Diagram (Boiler Room)
ILLUSTRATION E Random Sampling Table
ILLUSTRATION F Irregularly Shaped Random Sampling Area
ILLUSTRATION G Regular Shaped Random Sampling Area
ILLUSTRATION H Protocol for Asbestos Management Plan
ILLUSTRATION I Outline for Asbestos Management Plan
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ILLUSTRATION A Application for School Inspector License
ILLUSTRATION B Application for School Management Planner License
ILLUSTRATION C Application for School Project Designer License
ILLUSTRATION D Application for School Asbestos Abatement Project Supervisor License
ILLUSTRATION E Application for Contractor License
ILLUSTRATION F Application for School Air Sampling Professional License
ILLUSTRATION G Application for the Asbestos Worker License
ILLUSTRATION H Application for the School Project Manager License
ILLUSTRATION I Application for Training Course Accreditation
ILLUSTRATION J Application for Refresher Course Accreditation

AUTHORITY: Implementing and authorized by the Asbestos Abatement Act [105 ILCS 105]

SOURCE: Adopted at 9 Ill. Reg. 19052, effective November 29, 1985; amended at 10 Ill. Reg. 14800, effective September 12, 1986; emergency amendment at 12 Ill. Reg. 4357, effective February 5, 1988, for a maximum of 150 days; emergency expired July 4, 1988; amended at 13 Ill. Reg. 2768, effective February 16, 1989; amended at 13 Ill. Reg. 17029, effective November 1, 1989; emergency amendments at 14 Ill. Reg. 335, effective January 1, 1990, for a maximum of 150 days; emergency expired May 30, 1990; amended at 14 Ill. Reg. 12552, effective July 20, 1990; repealed at 22 Ill. Reg. _____, effective _____.

Section 855.10 Incorporation by Reference-Federal Regulations and Other Standards

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- a) All citations to federal regulations in this Part concern the specified regulation in the 1987 Code of Federal Regulations, unless another date is specified.
b) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
c) The Contractor shall comply with the following Federal and State regulations and referenced standards:
1) 23 Ill. Adm. Code 175 and 185.
2) 29 CFR 1910.1001.
3) 29 CFR 1910.134.
4) 40 CFR 61 Subparts A and M.
5) 40 CFR 763 and 111 - 40 CFR 763 Final Rule Effective December 14, 1987.
6) 29 CFR 1926.58
7) Guidance for Controlling Asbestos-Containing Materials in Buildings, Appendix J, EPA Report No. 560/5-85-024 (1985).
8) National Electrical Code, 1984 Ed., National Fire Protection Association, Quincy, Mass. 002269.
9) Compressed Gas Association Commodity Specification, G-7.1 (1966).
10) American National Standard Practices for Respiratory Protection, ANSI Z88.2 (1980).
11) American National Standard Fundamentals Governing the Design and Operation of Local Exhaust Systems, ANSI Z9.2 (1971).
12) National Institute of Occupational Safety and Health, Manual of Analytical Methods (P&CAM 239-1979 and Method 7400-1984).
13) U.S. Environmental Protection Agency, Electron Microscope Measurement of Airborne Asbestos Concentrations, Report No. 600/2-77-178 (1978).
14) U.S. Environmental Protection Agency, Methodology for the Measurement of Airborne by Electron Microscopy,
15) National Institute of Occupational Safety and Health, (Certified NIOSH Equipment List Department of Health and Human Services Publication Number 83-122 (1983) or last publication.
Contract No. 68-02-3266 (1984).

Section 855.20 Definitions

"Abatement" means procedures to control fiber release from asbestos-containing materials. This includes removal, encapsulation, enclosure and repair.

"Act" means the Asbestos Abatement Act (Section 10 of the Act).

"Aggressive Sampling" means a method of sampling in which the person collecting the air sample creates activity during the sampling period to stir up settled dust and simulate the activity of that area of the

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building.

"Airlock" means a system for permitting entrance and exit with minimum air movement between a contaminated area and an uncontaminated area, consisting of two curtained doorways separated by a distance of at least 3 feet such that one passes through one doorway into the airlock, allowing the doorway sheeting to overlap and close off the opening before proceeding through the second doorway, thereby preventing flow-through contamination (See Illustration D).

"Air Sampling" means the process of measuring the fiber content of a known volume of air collected during a specific period of time. The procedure utilized for asbestos follows the NIOSH Standard Analytical Method for Asbestos in Air P&CAM 239 or Method 7400. In addition, transmission electron microscopy methods shall be utilized for lower detectability and specific fiber identification.

"Air Sampling Professional" means the professional contracted or employed by the School District or Building Owner to conduct air monitoring. This individual shall have a Bachelors Degree in the life, environmental or physical sciences or in engineering and three months of experience in general indoor air pollution sampling; or an individual without a degree shall have twelve months of experience in air sampling for asbestos on abatement projects. Both shall have completed NIOSH course #582 "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.

"Amended Water" means water to which a surfactant has been added to improve penetration and reduce fiber release.

"ANSI" means the American National Standards Institute, 1430 Broadway, New York, New York 10018.

"Area Air Sampling" means any form of air sampling or monitoring where the sampling device is placed at some stationary location. Area air sampling is conducted each day during an asbestos abatement project. Sampling locations include inside the work area, outside the work area, and outside the building.

"Asbestos" means *chrysotile*, *amosite*, *crocidolite*, *tremolite*, *anthophyllite*, and *actinolite* (Section 3(a) of the Act).

"Asbestos Abatement Contractor" means any person that engages in the removal, enclosure, or encapsulation of asbestos containing materials for any school. (Section 3(h) of the Act).

"Asbestos-Containing Building Materials or (ACBM)" (means surfacing asbestos containing material or (ACM), thermal system insulation ACM

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or miscellaneous ACM that is found in or on interior structural members or other parts of a school building. (Section 3(f) of the Act).

"Asbestos-Containing Waste Material" means asbestos-containing material or asbestos-contaminated objects requiring disposal pursuant to Section 855.130.

"Asbestos Inspector" means an individual licensed by the Department to perform inspections of schools for the presence of asbestos containing materials. (Section 3(u) of the Act).

"Asbestos Material Manager" means an individual designated as the Building Owner's representative and responsible for the school's operations and maintenance plan.

"Asbestos Materials" means materials formed by mixing asbestos fibers with other products, including but not limited to rock wool, plaster, cellulose, clay, vermiculite, perlite and a variety of adhesives, and which contain more than 1% asbestos by weight. Some of these materials may be sprayed on surfaces or applied to surfaces in the form of plaster or a textured paint (Section 3(b) of the Act).

"Asbestos Professional" means an individual who is licensed by the Department to perform duties of contractor, inspector, management planner, project designer, project manager, project supervisor, air sampling professional, or worker, as applicable.

"Asbestos Project Manager" means an individual designated as the Building Owner's representative and responsible for overseeing the asbestos abatement and project activities. This individual shall have successfully completed a training course and examination covering the practices and procedures for asbestos control equivalent in length and content to the EPA approved courses.

"Asbestos Worker" means an individual who cleans, removes, encapsulates, encloses, hauls or disposes of friable asbestos material from schools as defined in this act (Section 3(p) of the Act).

"ASTM" means the American Society For Testing and Materials, 1916 Race Street, Philadelphia, PA 19103.

"Authorized Visitor" means the building owner, and any representative of a regulatory or other agency having jurisdiction over the project.

"Background Level Monitoring" means a method used to determine airborne asbestos fiber concentrations inside and outside a building prior to starting an asbestos abatement project.

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"Building Owner" means the person in whom legal title to the premises is vested unless the premises are held in land trust, in which instance the Building Owner means the person in whom beneficial title is vested.

"Certified Industrial Hygienist (C.I.H.)" means an industrial hygienist certified by the American Board of Industrial Hygiene.

"Clean Room" means an uncontaminated area or room which is a part of the worker decontamination enclosure with provisions for storage of workers' street clothes and protective equipment.

"Clearance Air Monitoring" means the employment of aggressive sampling techniques with a volume of air collected to determine the airborne concentration of residual fibers upon conclusion of an asbestos abatement project.

"Contained Area" means a work area with a decontamination enclosure system for the controlled passage of workers, other personnel and authorized visitors. If more than mini enclosure is used on a project only one remote decontamination enclosure system will be required per building. Only one project manager and one project supervisor will be required when more than one mini enclosure system is being used per building.

"Curtained Doorway" means a device which consists of at least three overlapping sheets of plastic over an existing or temporarily framed doorway. One sheet shall be secured at the top and left side, the second sheet at the top and right side, and the third sheet at the top and left side. All sheets shall have weights attached to the bottom to insure that the sheets hang straight and maintain a seal over the doorway when not in use.

"Decontamination Enclosure System" means a series of connected rooms, separated from each other by air locks, for the decontamination of workers, materials and equipment (See Appendix A: Illustration D).

"Department" means the Department of Public Health (Section 3(k) of the Act).

"Director" means the Director of Public Health (Section 3(n) of the Act).

"Encapsulant (sealant)" means a liquid material which can be applied to asbestos-containing material and which temporarily controls the possible release of asbestos fibers from the material either by creating a membrane over the surface (bridging encapsulant) or by penetrating into the material and binding its components together

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(penetrating encapsulant).

"Encapsulation" means the treatment of ACBM with a material that surrounds or embeds asbestos fibers in an adhesive matrix to prevent the release of fibers, as the encapsulant creates a membrane over the surfaces (bridging encapsulant or penetrates the material and binds its components together (penetrating encapsulant)). (Section 3(l) of the Act).

"Enclosure" means the construction of air tight walls and ceilings between the asbestos material and the educational facility environment, or around surfaces coated with asbestos materials, or any other appropriate scientific procedure as determined by the Department which prevents the release of asbestos materials (Section 3(k) of the Act).

"EPA" means the Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

"Equipment Decontamination Enclosure" means that portion of a decontamination enclosure system designed for the controlled transfer of materials and equipment, consisting of a washroom and a holding area.

"Equipment Room" means a contaminated area or room which is part of the worker decontamination enclosure system with provisions for the storage of contaminated clothing and equipment.

"Fixed Object" means a unit of equipment or furniture in the work area which cannot be removed from the work area.

"Friable" when referring to material in a school building means that the material, when dry, may be crumbled, pulverized, or reduced to powder by hand pressure, and includes previously nonfriable materials after such previously nonfriable material becomes damaged to the extent that, when dry, it may be crumbled, pulverized, or reduced to powder by hand pressure. (Section 3(g) of the Act).

"Friable Material Containment" means the encapsulation or enclosure of any friable asbestos material in a facility (Section 3(j) of the Act).

"Glovebag Technique" means a method for removing three (3) linear feet or less of friable asbestos-containing material from heating, ventilation, and air conditioning (HVAC) ducts, short piping runs, valves, joints, elbows, and other nonplanar surfaces in a noncontained work area. The glovebag assembly is a manufactured device consisting of a glovebag (constructed of 6-mil transparent plastic), two inward-projecting long-sleeve rubber gloves, one inward-projecting

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waterwand sleeve, an internal tool pouch, and an attached, labeled receptacle for asbestos waste. The glovebag is constructed and installed in such a manner that it surrounds the object or area to be decontaminated and contains all asbestos fibers released during the removal process.

"HEPA" means high efficiency particulate air.

"HEPA Filter" means a high efficiency particulate air filter capable of trapping and retaining 99.97 percent of particles (asbestos fibers) greater than 0.3 micrometers in mass median aerodynamic equivalent diameter.

"HEPA Vacuum Equipment" means vacuuming equipment with a high efficiency particulate air filter system.

"Holding Area" means a chamber in the equipment decontamination enclosure located between the washroom and an uncontaminated area.

"Homogeneous Material" means a substance that is uniform in structure and composition through which comprises a unique sample area. (e.g. boiler insulation is a separate sample area, pipe joint insulation is a separate sample area, corrugated pipe insulation is a separate sample area.)

"Homogeneous Work Area" means a site within the abatement work area which contains one type of asbestos-containing material and where one type of abatement is used.

"Management Plan" means a plan developed for a local educational agency for the management of asbestos in its school buildings pursuant to the federal asbestos hazard emergency response Act of 1986 and the regulations promulgated thereunder. (Section 3(r) of the Act).

"Management Planner" means an individual licensed by the Department to prepare management plans. (Section 3(s) of the Act).

"Movable Object" means a unit of equipment or furniture in the work area which can be removed from the work area.

"Negative Air Pressure Equipment" means a portable local exhaust system equipped with HEPA filtration. The system shall be capable of maintaining a constant, low velocity airflow from contaminated areas into adjacent uncontaminated areas, creating a negative pressure differential between the outside and inside of the work area.

"NESHAPS" means the National Emission Standards for Hazardous Air Pollutants (40 CFR Part 61).

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"NIOSH" means the National Institute for Occupational Safety and Health CDC - NIOSH, Building J N.E., Room 3007, Atlanta, GA 30333.

"Nonfriable" means materials in a school building which when dry may not be crumbled, pulverized, or reduced to powder by hand pressure. (Section 3(q) of the Act).

"Operations and Maintenance" means a simple cost or no cost program of work to keep a building and its component parts in a state of good repair.

"OSHA" means the Occupational Safety and Health Administration, 200 Constitution Avenue, Washington, DC 20210.

"Outside Air" means the air outside buildings and structures.

"Person" means any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, asbestos professional, public school districts, private schools or any other entity.

"Personal Air Monitoring" means a method used to determine employees' exposure to airborne fibers. The sample is collected outside the respirator in the worker's breathing zone. This form of sampling is required by the OSHA asbestos standards (29 CFR 1910.1001).

"Plasticize" means to cover floors and walls with plastic sheeting as herein specified or by using spray plastics as recommended by the Department through a variance request.

"Project" means work that is greater than three linear feet or three square feet being conducted in a school facility.

"Project Activities" means activities taking place when the contractor or his designee and supplies and equipment for asbestos abatement are present at the abatement site.

"Project Designer" means an individual licensed by the Department to design response actions for school buildings. (Section 3(t) of the Act).

"Removal" means the stripping of any asbestos-containing materials from surfaces or components of a facility or taking out structural components in accordance with 40 CFR 61 Subparts A and M.

"Repair" means to rewrap or tape damaged pipe and boiler insulation.

"Response Action" means a method, including removal, encapsulation,

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enclosure, repair, operations and maintenance, that protects human health and the environment from friable ACM. (Section 3(e) of the Act).

"Response Action Contractor" means any entity that engages in response action services for any school. Section 3(i) of the Act).

"School" means any school district or public, private or nonpublic day or residential educational institution that provides elementary or secondary education for grade 12 or under (Section 3(c) of the Act).

"School Board" means the corporate body established by law to govern the school district.

"School Building" means:

"(1) Any structure suitable for use as a classroom, including a school facility such as a laboratory, library, school eating facility, or facility used for the preparation of food. (2) Any gymnasium or other facility which is specially designed for athletic or recreational activities for an academic course in physical education. (3) Any other facility used for the instruction or housing of students or for the administration of educational or research programs. (4) Any maintenance, storage, or utility facility, including any hallway essential to the operation of any facility described in this definition of "school building" under items (1), (2), or (3). (5) Any portico or covered exterior hallway or hallway. (6) Any exterior portion of a mechanical system used to condition interior space. (Section 3(q) of the Act).

"School Personnel" means any employee of a school (Section 3(o) of the Act).

"Shall" means the stated provision is mandatory.

"Shower Room" means a room between the clean room and the equipment room in the worker decontamination enclosure with hot and cold running water controllable at the tap and arranged for complete showering during decontamination.

"Staging Area" means the area near the waste transfer airlock where containerized asbestos waste has been placed prior to removal from the work area.

"Strip" means to remove friable or nonfriable asbestos materials from any part of the facility.

"Structural Member" means any load-supporting member of a facility,

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such as beams and load-supporting walls, or any nonload-supporting member, such as ceilings and nonload-supporting walls.

"Student" means any student enrolled in a school (Section 3 (p) of the Act).

"Supervisor" means the contractor, foreman or person designated as the contractor's representative who is responsible for the onsite supervision of the removal, encapsulation, or enclosure of friable or nonfriable asbestos-containing material in an educational facility. This individual shall be licensed as an asbestos worker and supervisor.

"Surfactant" means a chemical wetting agent that when added to water will improve penetration and reduce fiber release.

"Tent Containment Area" means the plasticizing around the glovebag area with one layer of 6-mil plastic in the shape of a triangle or rectangle with enclosed ends.

"Visible Emissions" means any emissions containing particulate asbestos material that are visually detectable without the aid of instruments.

"Washroom" means a room between the work area and the holding area in the equipment decontamination enclosure system where equipment and waste containers are wet cleaned or HEPA vacuumed prior to disposal.

"Wet Cleaning" means the process of eliminating asbestos contamination from building surfaces and objects by using cloths, mops, or other cleaning tools which have been dampened with water, and by afterward disposing of these cleaning tools as asbestos contaminated waste.

"Work Area" means designated rooms, spaces, or areas where any aspect of an abatement project is being conducted.

"Worker Decontamination Enclosure System" means that portion of a decontamination enclosure system designed for controlled passage of workers, and other personnel and authorized visitors, consisting of a clean room, a shower room, and an equipment room separated from each other and from the work area by airlocks and curtained doorways.

Section 855.30 School Inspection and Hazard Assessment (Repealed)**Section 855.40 Application Requirements and Disciplinary Standards**

- a) The following requirements apply only to Sections 855.55, 855.260,

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855.340, 855.350, 855.360.

- b) All licenses shall expire on May 15 of each year except licenses issued after January 15 and before May 16 shall expire on May 15 of the following year. The licensee shall be charged a fee of \$15.00 for the issuance of a duplicate license.
- c) Application. Each person desiring licensure shall make application on forms provided by the Department. Each application shall be accompanied by a \$50.00 fee and the requirements listed in each licensed discipline section. The Department shall have 60 days to process the application and issue a license. The employees of the Illinois Department of Public Health, the Illinois Capital Development Board, and the United States Environmental Protection Agency shall be exempt from licensure fees when said licenses are used only for purposes related to their agency employment.
- d) Reciprocity. Each applicant for licensure who is licensed or certified in another state may request reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in this State. Each applicant for licensure pursuant to this Section shall submit an application accompanied by a \$50.00 fee. Reciprocity of Architectural, Engineering and Structural Engineering license shall be issued by the Illinois Department of Professional Regulation before applying for a project designer license.
- e) Renewal of license. Any license issued pursuant to these rules may be renewed if the licensee submits the renewal application, a \$50.00 fee, and a certificate of completion from either a US EPA or state accredited refresher course for that discipline. These shall be submitted at least 30 days prior to the expiration date of the license. (The Project Designer licensee must also submit certificates of completion from both a US EPA or state accredited half-day refresher course for inspectors and a US EPA or state accredited half-day refresher course for management planners.) Effective August 1, 1990, passing the refresher course examination will be required. The refresher course shall have been completed within one year prior to the date of application or license expiration date. If a renewal application is received after July 1, the applicant shall pay a late fee of \$15.00 in addition to a renewal fee of \$50.00. An applicant whose license has expired for a period less than two (2) years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed license fees, plus a reinstatement fee of \$15.00. A license which has expired for more than two (2) years may be restored only by successfully passing a US EPA or state approved course. Effective January 1, 1990 all accreditation will expire on May 15 of each year.
- f) The Department shall provide written notice via certified mail of its

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decision to deny inclusion on or remove a person from the list of licensed asbestos disciplines. The applicant shall have fifteen (15) days to make a written request for an administrative hearing to contest the Department's decision. The Department's decision shall be based upon one or more of the following reasons:

- 1) The person has falsified information on the application for licensure.
- 2) The person has performed duties outside the areas for which he is licensed.
- 3) The person has conducted any asbestos abatement activities in a manner hazardous to the public health in Illinois or in any other state where the person has acted in a similar capacity.
- 4) The person has violated any provision of the Asbestos Abatement Act or any provision of the rules of this Part.
- 5) The person has violated the registration and license standards for Professional Engineers (Ill. Rev. Stat. 1989, ch. 111, pars. 5101 et seq.), Structural Engineers (Ill. Rev. Stat. 1989, ch. 111, pars. 6501 et seq.), Architects (Ill. Rev. Stat. 1989, ch. 111, pars. 1201 et seq.) and Certified Industrial Hygienists (Individuals who are certified by the American Board of Industrial Hygiene). The Department will use findings by the Department of Professional Regulation, adverse civil or criminal findings in a circuit court.

Section 855.50 Contractor Licensing

- a) The Department shall prepare and maintain a list of licensed asbestos abatement contractors. The list shall be made available to all School Boards or Building Owners and shall be used to select an asbestos abatement contractor. The contractor shall possess the qualifications detailed in Section 855.50(b).
- b) A Contractor who wishes to be included on the Department's list of licensed abatement contractors shall submit the following information to the Department:
 - 1) A list of 3 character references.
 - 2) A certificate of financial responsibility documenting that the Contractor carries liability insurance, self insurance, group insurance, group self insurance, a letter of credit, or a bond in the amount of at least \$500,000 for work performed pursuant to the Asbestos Abatement Act and Rules. The contractor shall notify the Department of any change in the status of the certificate which has been filed including expiration, renewal or alteration of the terms of the certificate (Section 15(a) of the Act).
 - 3) Evidence of successful completion, including passing the examination, of a US EPA or state approved contractor/supervisor four (4) day training course. If the contractor/supervisor course was taken more than one year prior to application, a copy of a

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certificate of completion from an approved one day (8 hour) contractor/supervisor refresher course must be provided with the application. Each contractor shall maintain on file with the Department a list of employed supervisors meeting the requirements of Section 855.55.

4) Evidence that asbestos workers have an "Asbestos Worker License" as required by Section 855.290.

5) A list of prior contracts for asbestos abatement projects, including dates, names, addresses, and telephone numbers of building owners for whom the projects were performed. A contractor shall have a minimum of one year experience in asbestos abatement contracting. A new contractor is eligible to qualify if employer references demonstrate a minimum of one year experience in asbestos abatement project supervision, or by employing a supervisor with a minimum of one year experience in asbestos abatement project supervision. Evidence of experience must accompany the application. Affidavit of experience will be submitted from persons who you supervised including, architects, engineers, project managers, air sampling professionals and representatives of owners for whom projects were performed.

6) Evidence of air monitoring data taken during and after completion of previous asbestos abatement projects in accordance with 29 CFR 1910.1001(e). Provide evidence of final air monitoring results from ten (10) complete asbestos abatement projects. Evidence of air monitoring data must have the name of the company who analyzed the final air monitoring results. All final results shall be below .01 f/cc.

7) A copy of the written standard operating procedures and employee protection plans, including specific reference to OSHA medical monitoring and respirator training programs as required in 29 CFR 1910.1001.

8) A description of any asbestos abatement projects which were prematurely terminated or not completed, including the circumstances surrounding termination.

9) A list of any contractual penalties which the contractor has paid for breach or noncompliance with contract specifications, such as overruns of completion time or liquidated damages.

10) Copies of any and all citations levied against the contractor by any Federal, state or local government agency for violations related to asbestos abatement, including names and locations of the projects, the date(s), and a description of how the allegations were resolved.

11) A description detailing all legal proceedings, lawsuits or claims which have been filed or levied against the contractor or any of his past or present employees for asbestos-related activities.

12) A completed application.

c) All licenses shall expire on May 15, of each year except licenses issued after January 15, and before May 16, shall expire on May 15, of

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the following year. The licensee shall be charged a \$15.00 fee for the issuance of a duplicate license.

d) Application. Each company desiring licensure as an asbestos abatement contractor shall make application to the Department on forms provided by the Department. Each application shall be accompanied by a \$250.00 fee for the initial review. The Department shall process the application within 120 days.

e) Successful applicants shall be notified to submit to the Department an additional \$500.00 fee for a license and to be included on the list of IDPH licensed contractors.

f) Reciprocity. Each applicant for licensure who is licensed or certified for asbestos contracting in another state may request the Department for licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in this State. Each applicant for licensure pursuant to this subsection shall submit an application accompanied by a \$750.00 fee.

g) Renewal of License. Any license issued pursuant to these rules may be renewed if the licensee submits the application and \$500.00 fee required by subsection (c), a certificate of completion from an approved one day (8 hour) contractor/supervisor refresher course, and a current insurance certificate within thirty (30) days prior to expiration of the license. The refresher course shall have been completed within one year prior to the license expiration date. If a renewal application is received after July 1, the applicant shall pay a late fee of \$100.00 in addition to the renewal fee. An applicant whose license has expired for a period less than two (2) years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed licensed fees, plus a reinstatement fee of \$100.00. A license which has expired for more than two (2) years may be restored only by reapplying.

h) The Department shall provide written notice, via certified mail, of its decision to deny inclusion on or remove a Contractor from the list of asbestos abatement contractors. The applicant shall have fifteen (15) days to make a written request for an administrative hearing to contest the Department's decision. The Department's decision shall be based upon the following reasons:

1) Conviction of the Contractor, or if the Contractor is a firm, partnership or association, of any of its members, or if a corporation, of any of its officers or directors, or of any person designated to manage or supervise the asbestos abatement activities, of a felony, or two or more misdemeanors involving fraudulent activities, or of laws relating to construction or the building trades in general in the last five years.

2) The licensure status or record of the Contractor, or if the Applicant is a firm, partnership or association, of any of its

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- members, or if a corporation, of any of its officers or directors, or of any person designated to manage or supervise the asbestos abatement activities, in Illinois or from any other state where the Applicant has done business in a similar capacity which indicates that the applicant has conducted asbestos abatement projects in a manner hazardous to the public health.
- 3) The Contractor has failed to complete an asbestos abatement project due to insufficient financial resources to operate and conduct the asbestos abatement activities.
 - 4) Violation of any provision of the Asbestos Abatement Act or of any provision of the rules of this Part.

Section 855.55 Supervisor Licensing and Requirements

- a) The Department shall issue a "Supervisor License" to qualified applicants. In order to qualify, an applicant shall:
 - 1) Provide evidence that the applicant is a licensed asbestos worker.
 - 2) Submit to the Department a certificate of successful completion of a US EPA or state approved contractor/supervisor four (4) day training course. If the contractor/supervisor course was taken more than one year prior to application, a copy of a certificate of completion from an approved one day (8 hour) contractor/supervisor refresher course shall also be provided.
 - 3) Submit a 1" X 1" photograph of applicant for proper identification of licensee. The license shall not be issued without the identification photograph.
- b) The Asbestos Project Supervisor shall be the contractor's designated representative who is licensed by the State of Illinois, and shall be responsible for carrying out the following activities:
 - 1) Assist in decision-making regarding selection of procedures.
 - 2) Review variance requests in accordance with Section 855.70.
 - 3) Ensure that all project activities are conducted in accordance with the requirements of the Act and those rules.
 - 4) Supervise project activities at all times during the course of the abatement.
 - 5) Meet the Project Manager daily to review work progress and solve problems or adjust procedures as appropriate.
- c) One project supervisor per contained area is required.

Section 855.60 Submittals and Notices

- a) All notification shall be received by the Department two weeks (10 working days or 14 calendar days) prior to commencement of work. The contractor shall submit the following items to the School Board or Building Owner and the Department:
 - 1) A copy of the demolition/renovation notice shall be submitted as required by 40 CFR 61 Subparts A and M, National Emission

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- Standard for Asbestos. The notification form and a list of applicable addresses are located in Appendix A: Illustrations A and C.
- 2) The notification form located in Appendix A: Illustration B shall be completed and submitted by the contractor for all abatement projects. The notification form and applicable addresses are located in Appendix A: Illustrations B and C.
 - 3) Written permission from the Building Owner confirming the authorization for the commencement of abatement according to Section 855.180 (g) shall be attached to Appendix A, Illustration B and submitted to the Department.
 - b) Five days prior to commencement of work, the Contractor shall submit the following items to the School Board or the Building Owner:
 - 1) Documentation that arrangements for the transport and disposal of asbestos-containing or contaminated materials and supplies have been made. The name and location of the disposal site, a copy of handling procedures, and a list of protective equipment utilized for asbestos disposal at the landfill, prepared and signed by the landfill owner, shall be obtained and submitted.
 - 2) Documentation that each asbestos worker has a license.
 - 3) Documentation from a physician that all employees or agents who may be exposed to airborne asbestos in excess of background levels have been provided with an opportunity to be medically monitored, to determine if physically capable of working while wearing the required respiratory equipment without suffering adverse health effects. In addition, documentation that personnel have received medical monitoring as required in OSHA 29 CFR 1910.1001(j) shall be submitted. The Contractor shall provide information to the examining physician about conditions in the workplace environment (e.g. high temperatures, humidity, chemical contaminants).
 - 4) Drawings for layout and construction of decontamination enclosure systems and barriers for isolation of the work area.
 - 5) A list of NIOSH approvals for all respiratory protective devices utilized on site. In addition, manufacturer certification of HEPA filtration capabilities for all cartridges and filters shall be submitted.
 - 6) Documentation that all of the contractor's employees and agents who must enter the work area have passed respirator fit tests and have been assigned respirators which fit. This fit testing shall be in accordance with qualitative procedures as detailed in the OSHA Lead Standard 29 CFR 1910.1025 Appendix D Qualitative Fit Test Protocol (1985).
 - 7) Manufacturer's certification that HEPA vacuums, negative air pressure equipment, and other local exhaust ventilation equipment conform to ANSI Z 9.2-79.
 - 8) When rental equipment is to be used in removal areas or to transport waste materials, a copy of the written notification to

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inform the rental company of the nature of use of the rented equipment.

- 9) Results of materials testing as conducted before the abatement for purposes of utilization during abatement activities (e.g., testing of encapsulant for depth of penetration, testing of substitute materials for adherence to encapsulated surfaces).

- c) During abatement activities the Contractor shall submit the following items to the Asbestos Project Manager:

- 1) Submit weekly, job progress reports detailing abatement activities, including a review of progress with respect to previously established schedules, problems and actions taken, injury reports, and equipment breakdowns.
- 2) Submit weekly, copies of all transport manifests, trip tickets and disposal receipts for all asbestos waste materials removed from the work area during the abatement process.
- 3) Submit weekly, copies of worksite entry log books with information on worker and visitor access.
- 4) Submit weekly, logs documenting filter changes on respirators, HEPA vacuums, negative pressure ventilation units, and other engineering controls.
- 5) Submit weekly, results of air sampling data collected during the course of the abatement for OSHA compliance air monitoring.
- 6) Submit weekly, logs documenting that each asbestos worker present and in the abatement area was licensed as such by the Department.
- d) Prior to commencement of work the School Board or the Building Owner shall:

- 1) Notify occupants of work areas that may be disrupted by the abatement of project dates and requirements for relocation. Arrangements must be made prior to start for relocation of desks, files, equipment and personal possessions to avoid unauthorized access into the work area.

Agency Note: Notification of all building occupants and users is required in order to prevent unnecessary or unauthorized access to the contaminated work area.

- 2) Submit to the Contractor results of background level air sampling, including sampling location, name of the Air Sampling Professional, equipment utilized and method of analysis.
- 3) Provide to the Contractor information concerning access, shutdown, and protection requirements of equipment and systems in the work area.
- 4) Submit to the Department names and addresses of any Asbestos Project Manager and Air Sampling Professional prior to the commencement of abatement. Any change of the Building Owners' representatives shall be submitted to the Department prior to such change.

Section 855.70 Alternative Procedures and Variances

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- a) A variance may be requested by submitting a written proposal to the Department. Any written proposal shall include a detailed description of the procedure(s) to be used in lieu of the requirements of the rules of this Part. The capability of the alternative procedure(s) to provide an orderly, efficient, and safe abatement which ensures protection equivalent to that provided by the rules of this Part shall be the basis for approval or denial of the variance. The Department shall notify the applicant in writing of its decision to either grant or deny the variance within 60 days of receipt of the request. A variance shall be requested and approved before abatement work begins.
- b) Variance requests on abatement project activities shall be issued on a per project basis. These variances shall bear the signatures of the architect/engineer (for health/life, safety measures), asbestos project manager, and asbestos abatement contractor, provided the contractor has been established at the time of the variance request.

Section 855.80 Personnel Protection

The Contractor shall be responsible for providing the following training and equipment:

- a) Prior to commencement of work, workers shall be instructed and shall be knowledgeable in the areas described in Section 855.300, and in the use of equipment and facilities unique to the job site. Emergency evacuation procedures to be followed in the event of compressor failure shall be included in worker training prior to commencement of work.
- b) All respiratory protection shall be provided to workers in conjunction with a written respiratory protection program which shall meet the requirements of OSHA regulation, 29 CFR 1910.134(b)(1-11). This program shall be posted at the work site.
- c) Workers shall be provided with personally issued and marked respiratory equipment approved by NIOSH (Certified NIOSH Equipment List D.H.H.S. Pub. No. 83-122 (1983)).
- d) Respiratory protection shall be worn by all persons exposed to asbestos from the initiation of the asbestos abatement project until all areas have passed clearance air monitoring under Section 855.230.
- e) Type "C" air supplied respirators in pressure demand mode with full facepieces shall be used for all abatement work of more than one hour duration per day until the completion of gross clean up (i.e. removal of all visible, bulk asbestos-containing material) and sampling results indicate fiber levels of less than 0.2 f/cc. Powered air-purifying respirators equipped with HEPA filter or ambient air breathing apparatus, and tightfitting full facepieces may be used for inspection or repair work of less than 1 hour duration per day provided that air sampling results indicate fiber levels of less than 0.2 f/cc. A supply of charged replacement batteries and filters and a flow test meter shall be available in the clean change area for use with powered air-purifying respirators. Air-purifying respirators

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with dual high efficiency (HEPA) filters may be utilized during work area preparation activities and following gross clean-up once daily air monitoring results inside the work area are below 0.1 f/cc of air. Spectacle kits and eyeglasses shall be provided for employees who wear glasses and who must wear full facepiece respirators. Respirators shall be provided that have been tested and approved by the National Institute of Occupational Safety and Health for use in asbestos-contaminated atmospheres.

- f) Compressed air systems shall be designed to provide air volumes and pressures to accommodate respirator manufacturer's specifications. The compressed air systems shall have a receiver of such capacity to allow escape of all respirator wearers from contaminated areas in the event of compressor failure. Compressors shall meet the requirements of 29 CFR 1910.134(d). Compressors shall have an in-line carbon monoxide monitor, and daily inspection of the carbon monoxide monitor shall be documented. Documentation of the capacity of compressed air system/respiratory protection system shall be retained on site and shall include a list of compatible components with the maximum number and type of respirators that may be used with the system. Daily testing of compressed air shall be conducted to insure that systems provide breathing air of Grade D quality (as described in Compressed Gas Association Commodity Specifications G-7.1). The air compressor shall be located where contaminated air cannot enter the system. The use of ambient air breathing apparatus shall not be allowed in lieu of the compressed air system.

- g) The minimum type of respiratory protection to be used in the holding area shall be a full face air purifying respirator with high efficiency (HEPA) filtration.

- h) Workers shall be provided with protective full body clothing. Such clothing shall consist of full body coveralls and headgear. Disposable protective clothing, headgear, and footwear shall be provided. Nondisposable footwear or clothing shall remain in the work area and shall be disposed of as contaminated material when the job is completed.

- i) Authorized visitors shall be provided with suitable respirators and instruction on the proper use of respirators whenever entering the work area (See Subsection (b)(e)).

- j) Authorized visitors shall be provided with suitable protective clothing, headgear, and footwear, as described in Section 855.80(h), whenever entering the work area.

- k) The decontamination and work procedures to be followed by workers, as described in Section 855.90, shall be provided and posted in the Equipment Room and the Clean Room.

- l) The Contractor shall post the following at the work site:

- 1) "Caution-Asbestos Hazard" signs in accordance with OSHA Regulation 29 CFR 1910.1001 shall be posted at every entrance to the building and at all internal doorways which provide access to the area in which the work will take place.

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- 2) A copy of the U.S. Environmental Protection Agency Regulations for Asbestos, 40 CFR 61 Subparts A and M and a copy of U.S. Department of Labor - OSHA Asbestos Regulations, 29 CFR 1910.1001, shall be posted in the clean room.
- 3) A list of telephone numbers for local hospital and/or emergency squad, local fire department, the institution's security office (if applicable), a representative of the building owner who may be reached 24 hours a day, the contractor's headquarters, and any architects or other professional consultants directly involved in the project, shall be posted in the clean room.
- m) Workers shall not be allowed to eat, drink, smoke, or chew gum or tobacco at the work site except in the clean room.

Section 855.90 Workplace Entry and Exit Procedures

Personnel entry and exit. All the following procedures shall be posted in the clean room and equipment room. These procedures shall be followed throughout the abatement project until clearance air monitoring has been performed and documented to the satisfaction of the School Board or the Building Owner.

- a) All personnel and authorized visitors shall enter the work area through the worker decontamination enclosure system.
- b) All personnel who enter the work area shall sign the entry log, located in the clean room, upon entry and exit.
- c) All personnel, before entering the work area, shall read and be familiar with all posted regulations, personal protection requirements (including workplace entry and exit procedures) and emergency procedures. A sign-off sheet shall be used to acknowledge that these have been reviewed and understood by all personnel prior to entry.
- d) All personnel shall proceed first to the clean room, remove all clothing and don respiratory protection, disposable coveralls, head covering and foot covering. Clean respirators and protective clothing shall be provided and utilized by each person for each separate entry into the work area.
- e) Personnel wearing designated personal protective equipment shall proceed from the clean room through the shower room and equipment room to the main work area.
- f) Before leaving the work area, all personnel shall remove gross contamination from the outside of respirators and protective clothing by brushing and/or wet cleaning procedures. (Small HEPA vacuums with brush attachments may be utilized for this purpose, as larger machines may tear the suits.) Each person shall clean bottoms of protective footwear in a walk-off pan (see Section 855.140(h)) immediately prior to entering the equipment room.
- g) Personnel shall proceed to the equipment room, where all protective equipment except respirators shall be removed. Disposable clothing shall be deposited into labeled containers for disposal (See Section 855.120(h)).
- h) Reusable, contaminated footwear shall be stored in the equipment room

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Pressure Systems for Asbestos Abatement," Guidance for Controlling Friable Asbestos-Containing Materials in Buildings, EPA Report Number 560/5-85-024 (1985).

Section 855.130 Work Area Preparation and Demolition of a Facility

- a) The Asbestos Abatement Contractor shall perform the following to prepare the work area:
 - 1) Post caution signs meeting the specifications of OSHA 29 CFR 1910.1001(g)(1)(ii) at any location and approaches to a location where airborne concentrations of asbestos may exceed ambient background levels. Signs shall be posted to permit a person to read the sign and take the necessary protective measures to avoid exposure before entering the work area. Additional signs may need to be posted following construction of workplace enclosure barriers.
 - 2) Shut down and lock out electric power to all work areas. Provide temporary power and lighting and ensure safe installation of temporary power sources and equipment in accordance with the National Electrical Code (see Section 855.10(c)(6)). All power to work areas shall be brought in from outside the area through ground-fault interrupter at the source.
 - 3) Shut down and isolate heating, cooling, and ventilating air systems to prevent contamination and fiber dispersal to other areas of the structure. Remove all HVAC system filters and place in labeled 6-mil polyethylene bags for disposal as asbestos-contaminated waste. Clean the filter assembly and duct work using HEPA vacuums or wet cleaning techniques.
 - 4) Pre-clean movable objects within the proposed work areas using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate, and remove such objects from work areas to a temporary location. Carpeting shall be removed and disposed of as asbestos-contaminated waste. Upholstered furniture and drapes shall be HEPA vacuumed twice before removal from the work area.
 - 5) Pre-clean fixed objects and specific equipment items which will remain within the proposed work areas, using HEPA filtered vacuum equipment or wet cleaning methods as appropriate, and enclose with 6-mil plastic sheeting sealed with tape.
 - 6) Clean the proposed work areas using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate. Methods that raise dust, such as dry sweeping or vacuuming with equipment not equipped with HEPA filters, shall be prohibited. Asbestos-containing materials shall not be disturbed during the pre-cleaning phase.
 - 7) Seal off all openings, including but not limited to windows, corridors, doorways, skylights, ducts, grills, diffusers, and any other penetrations of the work areas, with 6-mil plastic sheeting sealed with tape. Also seal all seams in system components that

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- 8) Cover floor and wall surfaces with plastic sheeting sealed with tape. Use a minimum of two layers of 6-mil plastic on floors and two layers of 4-mil plastic on walls. Cover floors first so that plastic extends at least 12 inches up on walls, then cover walls with plastic sheeting to the floor level, thus overlapping the floor material by a minimum of 12 inches. The plastic shall be sized to minimize seams. Seams shall be staggered and separated by a distance of at least 6 feet. In hallways where asbestos materials are adjacent to lockers, sheeting shall extend to the top of the lockers.
- 9) Remove and clean ceiling-mounted objects such as light fixtures, electrical track, alarm systems, ventilation equipment and other items not previously sealed off, that interfere with asbestos material removal. Use localized water spraying or HEPA filtered vacuum equipment during fixture removal to reduce fiber dispersal.
- 10) Suspended ceiling tiles and T-grid components shall remain in place until the work area has been plasticized and worker and equipment decontamination enclosures are in place and then removed and disposed of as asbestos-contaminated waste.
- 11) Maintain emergency and fire exits from the work areas or establish alternative exits according to 41 Ill. Adm. Code 100.
- b) During demolition of a facility the Asbestos Abatement Contractor shall comply with the National Emission Standards for Hazardous Air Pollutants (40 CFR 61 and Occupational Safety and Health Administration (29 CFR 1910 and 1926). The building owner shall inform the Department in writing of the impending demolition.

Section 855.140 Worker Decontamination Enclosure System

The Contractor shall construct or provide a decontamination enclosure system in accordance with the following:

- a) Worker decontamination enclosure systems shall be provided at all locations where workers will enter or exit the work area. One system at a single location for each contained work area is preferred. These systems may consist of existing rooms outside of the work area, if the layout is appropriate, that can be enclosed in plastic sheeting and are accessible from the work area. When this situation does not exist, enclosure systems may be constructed out of metal, wood or plastic support as appropriate (See Appendix A, Illustration D).
- b) Worker decontamination enclosure systems constructed at the worksite shall utilize 6-mil opaque black or white polyethylene sheeting. Detailed descriptions of portable, pre-fabricated units shall be submitted for the Department's approval in accordance with Section 855.70. Plans shall include floor plan with dimensions, materials,

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- c) size, thickness, plumbing and electrical utilities.
- d) The worker decontamination enclosure system shall consist of at least a clean room, a shower room, and an equipment room, separated from each other by airlocks.
- e) Entry to and exit from all airlocks and decontamination enclosure system chambers shall be through curtained doorways.
- f) Access between any two rooms in the decontamination enclosure system shall be through an airlock with at least 3 feet separating each curtained doorway. Pathways into (from clean to contaminated) and out from (contaminated to clean) the work area shall be clearly designated.
- g) The clean room shall be sized to accommodate the clothes and equipment of the work crew. Benches shall be provided, as well as hooks for hanging up street clothes. Lockers may be provided for valuables; however, workers may be requested to secure valuables elsewhere. Shelves for storing respirators shall also be provided in this area. Clean work clothes (if required under disposables), clean disposable clothing, replacement filters for respirators, towels and other necessary items shall be provided in the clean room. A location for postings shall also be provided in this area. A lockable door shall be used to permit access into the clean room from outside the work area. This space shall not be used for storage of tools, equipment, or materials, or as office space.
- h) The shower room shall contain one or more showers to accommodate workers. Each shower head shall be supplied with hot and cold water adjustable at the tap. The shower enclosure shall be constructed to ensure against leakage of any kind. Soap, shampoo and towels shall be supplied by the Contractor and shall be available at all times. Shower water shall be drained, collected and filtered through a system with at least 5.0 micron particle size collection capability. A system containing a series of several filters with progressively smaller pore sizes shall be used to avoid rapid clogging of the filtration system by large particles. Filtered wastewater shall be discharged to a sanitary sewer.
- i) The equipment room shall be used for storage of equipment and tools at the end of a shift after decontamination using a HEPA filtered vacuum and/or wet cleaning techniques. Replacement filters (in sealed containers until used) for HEPA vacuums and negative pressure ventilation equipment, extra tools, containers of surfactant and other materials and equipment that may be required during the abatement may also be stored here as needed. A walk-off pan (such as a small children's swimming pool) filled with water shall be located in the work area just outside the equipment room for workers to clean off foot coverings after leaving the work area and to prevent excessive contamination of the worker decontamination enclosure system. A drum lined with a labeled 6-mil polyethylene bag for collection of disposable clothing shall be located in this room. Contaminated footwear (e.g. rubber boots and other reusable footwear) shall be

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stored in this area for reuse.

Section 855.150 Equipment Decontamination Enclosure System

The Contractor shall provide or construct an equipment decontamination enclosure system consisting of two totally enclosed chambers as follows:

- a) The washroom or cleanup room shall be constructed with a curtained doorway to a designated area of the work area and a curtained doorway to the holding area.
- b) The holding area shall be constructed with a curtained doorway to the washroom and a lockable door to the outside.

Section 855.160 Separation of Work Areas from Occupied Areas

- a) The Contractor shall separate parts of the building required to remain in use during asbestos abatement from parts of the building that will undergo asbestos abatement by means of airtight barriers constructed as follows:
 - 1) Walls shall be constructed of wood or metal framing to support barriers in all openings larger than 4'x 8'.
 - 2) A sheathing material (e.g. plywood or drywall) of at least 5/8" thickness shall be applied to the work side of the barrier.
 - 3) Both sides of the partition shall be covered with a double layer of 6-mil polyethylene sheeting with staggered joints and sealed in place.
 - 4) Edges of the partition shall be caulked at the floor, ceiling, walls and fixtures to form an airtight seal.
- b) If the building is not in use except that for incidental use of routine custodial operations, Section 855.160 (a) shall be complied with, except the 5/8" minimum thickness sheathing may be omitted. In such event, plastic sheeting shall be applied to the outside of the framing, forming a double barrier.

Section 855.170 Maintenance of Decontamination Enclosure Systems and Workplace Barriers

- a) Following completion of the construction of all polyethylene barriers and decontamination system enclosures, the Contractor shall allow overnight settling to insure that barriers will remain intact and secured to walls and fixtures before beginning actual abatement activities.
- b) All polyethylene barriers inside the work area, in the worker decontamination enclosure system, in the equipment decontamination enclosure system and at partitions constructed to isolate the work area from occupied areas shall be inspected by the Asbestos Project Manager at least twice daily. The barriers shall be inspected before the start of and following the completion of the day's abatement activities. Inspections and observations shall be documented in the

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- daily project log.
- c) Damage and defects in the enclosure system shall be repaired upon discovery.
- d) Smoke tubes shall be used to test the effectiveness of the work area barrier system before abatement work begins and at least once a day thereafter until the work is completed. Results and observations shall be documented in the project log book.
- e) At any time during the abatement activities after barriers have been erected, if visible emissions are observed outside of the work area or if damage occurs to barriers, work shall stop, repairs shall be made to the barriers, and visible residue cleaned up using HEPA vacuuming and wet mopping procedures prior to resuming abatement activities.
- f) The Contractor shall HEPA vacuum or wet clean the equipment decontamination enclosure system and the entire worker decontamination enclosure system at the end of each day of abatement activities.
- g) If air samples collected outside of the work area during abatement activities indicate airborne fiber concentrations greater than original background levels or 0.01 f/cc as determined by phase contrast microscopy, work shall stop for inspection and repair of barriers. Cleanup of surfaces outside of the work area using HEPA vacuums or wet cleaning techniques shall be done prior to resuming abatement activities.
- h) Negative pressure ventilation equipment shall be installed and operated to provide one air change in the work area every 15 minutes. Openings made in the enclosure system to accommodate these units shall be made airtight with tape and/or caulking. If more than one ventilation unit is installed, units shall be turned on one at a time while checking the integrity of wall barriers for secure attachment and the need for additional reinforcement. A power supply shall be available to satisfy the requirements of the ventilating units. Negative pressure ventilation units shall be exhausted to the outside of the building away from occupied areas. Twelve inch extension ducting shall be used to reach from the work area to the outside when required. Careful installation, air monitoring and daily inspections shall be done to insure that the ducting does not release fibers into uncontaminated building areas.
- i) Once constructed and reinforced, and with negative pressure ventilation units in operation, worker and equipment decontamination enclosures shall be tested for leakage utilizing smoke tubes. Enclosures shall be repaired or reconstructed as needed.
- j) The Contractor shall identify and maintain emergency and fire exits from the work area.

Section 855.180 Commencement of Work

The Contractor shall not begin abatement work until the following requirements have been met:

- a) Enclosure systems shall be constructed and tested.

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- b) All pre-abatement submissions, notifications, postings and permits shall be provided and are satisfactory to the Building Owner or the School Board.
- c) All equipment for abatement, cleanup and disposal shall be on hand.
- d) All worker training and licensing shall be completed.
- e) Arrangements shall be made for building security.
- f) The number of clearance air samples and the specific sample locations shall be established in conjunction with the Air Sampling Professional before abatement activity begins (see Section 855.230).
- g) The Contractor shall receive written permission from Building Owner to commence abatement. Such written permission shall be submitted to the Department attached with Appendix A, Illustration B.

Section 855.190 Removal Procedures

The Contractor shall remove asbestos-containing materials in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with Sections 855.130 through 855.180.
- b) All asbestos-containing materials shall be wetted with an amended water solution using equipment capable of providing a fine spray mist in order to reduce airborne fiber concentrations when the material is disturbed. The material shall be saturated to the substrate, however, excessive water shall not be allowed to accumulate in the work area. All removed material shall be kept wet enough to prevent fiber release until containerized for disposal. A high humidity in the work area shall be maintained by misting or spraying to assist in fiber settling and to reduce airborne concentrations. Wetting procedures are not equally effective on all types of asbestos-containing materials, but shall be used in all cases.
- c) Saturated asbestos-containing material shall be removed and containerized before moving to a new location for continuance of work. Surrounding areas shall be periodically sprayed and maintained in a wet condition until visible material is cleaned up.
- d) Material removed from building structures or components shall not be dropped or thrown to the floor. Material shall be removed as intact sections or components whenever possible and carefully lowered to the floor. If this cannot be done for materials greater than 50 feet above the floor, a chute which does not allow dust to escape shall be constructed to transport the material to containers on the floor or the materials shall be containerized at elevated levels (e.g. on scaffolds) and carefully lowered to the ground by mechanical means. Materials between 15 and 50 feet above the ground may be containerized at elevated levels or dropped onto inclined chutes for subsequent collection and containerization.
- e) Containers (6-mil polyethylene bags or drums) shall be sealed when full. Asbestos-containing material shall be double bagged when polyethylene bags are used for disposal. Bags shall not be

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overfilled. The bags shall be sealed to prevent accidental opening and leakage by tying the tops in an overhand knot or by taping in gooseneck fashion. Bags shall not be sealed with wire or cord. Bags may be placed in drums for staging and transportation to the landfill. Bags shall be decontaminated on exterior surfaces by wet cleaning before being placed in clean drums and sealed with locking ring tops.

f) Large components shall be wrapped in 2 layers of 6-mil polyethylene sheeting and secured with tape for transport to the landfill.

g) Asbestos-containing waste materials with sharp-edged components (e.g. nails, screws, metal lath, tin sheeting) which may tear the polyethylene bags or sheeting shall be placed into drums for disposal.

h) After completion of all stripping work, surfaces from which asbestos-containing materials have been removed shall be cleaned (e.g. wet brushed and sponged) to remove all visible residue.

i) Cleanup shall proceed in accordance with Section 855.220.

j) After the work area has been rendered free of visible residues, a thin coat of an encapsulating agent shall be applied to all surfaces in the work area, including structural members, building components and plastic sheeting on walls and floors, to seal in nonvisible residue.

Agency Note: If insulation or acoustical materials are to be reapplied to the abated area, the encapsulant selected must permit adhesion to the substrate.

Section 855.200 Encapsulation Procedures

The Contractor shall encapsulate the asbestos-containing materials in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with Sections 855.130 through 855.180.
- b) Damaged and missing areas of existing materials shall be repaired with nonasbestos-containing substitutes. The material shall adhere to existing surfaces and provide a base for application of encapsulating agents.
- c) Loose or hanging asbestos-containing materials shall be removed in accordance with the requirements of Section 855.190.
- d) The contractor shall field test encapsulants prior to use by applying each to a small area to determine suitability for the material to be encapsulated.
- e) Bridging encapsulants.
 - 1) Bridging encapsulants shall be applied to provide the manufacturer's specified number of inches or minimum dry film thickness over sprayed asbestos surfaces.
 - 2) When using a bridging encapsulant, a different color for each coat shall be used.
- f) Penetrating encapsulants.
 - 1) Penetrating encapsulants shall be applied to penetrate existing asbestos materials to the substrate.
 - 2) During treatment with a penetrating encapsulant, the Contractor

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shall remove selected random core samples of the asbestos-containing materials in the presence of the Building Owner or the Asbestos Project Manager to check the depth of penetration.

g) Encapsulants shall be applied using airless spray equipment.

h) Cleanup shall be in accordance with Section 855.220.

i) Encapsulated asbestos-containing materials shall be designated (e.g. labels, signs or color codes) in order to warn building maintenance personnel in the event that encapsulated materials must be disturbed.

Section 855.210 Enclosure Procedures

The Contractor shall enclose asbestos-containing materials in accordance with the following procedures:

- a) The work area shall be cleaned and isolated in accordance with Sections 855.130 through 855.180.
- b) Areas that may be disturbed during the installation of hangers or other support/framing materials for the enclosure shall be sprayed with amended water. These areas shall be kept damp to reduce airborne fiber concentrations.
- c) Loose and hanging asbestos-containing materials shall be removed in accordance with the requirements of Section 855.190.
- d) After installation of hangers, brackets or other enclosure supports and before installation of enclosure, damaged areas of fireproofing/thermal insulation materials shall be repaired using a nonasbestos-containing replacement material. Surfaces shall be prepared and replacement material applied in accordance with manufacturer's recommendations.
- e) Hand tools used to drill, cut into, or otherwise disturb asbestos containing materials during the installation of support systems for the enclosures shall be equipped with HEPA filtered local exhaust ventilation.
- f) Enclosure materials shall be impact resistant and provide an airtight barrier once construction is complete (See Section 855.120(i)).
- g) Utilities shall be lowered as necessary and reinstalled in a manner which permits proper utilization and does not disturb the integrity of the enclosures. Utility maintenance shall not require the enclosures to be opened or disturbed.
- h) Clean-up shall be in accordance with Section 855.220.
- i) Enclosed asbestos-containing materials shall be designated (e.g. sign, label, or color code) in order to warn building maintenance personnel in the event that the enclosure must be disturbed.

Section 855.220 Cleanup Procedures

The Contractor shall perform the cleanup in accordance with the following procedures:

- a) All visible accumulations of asbestos-containing material and asbestos

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contaminated debris shall be removed and containerized utilizing rubber dust pans and rubber squeegees. Metal shovels shall not be used to pick up or move accumulated waste.

- b) All surfaces in the work area shall be wet cleaned using rags, mops and sponges (first cleaning). To pick up excess water and gross wet debris, a wet-dry shop vacuum may be used. The vacuum will be contaminated and shall be decontaminated prior to removal from the work area.

- c) The cleaned outer layer of plastic sheeting shall be removed from walls and floors. Windows, doors, HVAC system vents and all other openings shall remain sealed. The negative pressure ventilation units shall remain in continuous operation. Decontamination enclosure systems shall remain in place and be utilized.

- d) After the first cleaning, the Contractor shall wait at least 24 hours to allow fibers to settle. Then all objects and surfaces in the work area shall be HEPA vacuumed and wet cleaned (second cleaning). The remaining plastic on walls and floors only shall be removed. The windows, doors, HVAC system vents and all other openings shall remain sealed.

- e) After the second cleaning, the Contractor shall wait 24 hours before wet cleaning and/or HEPA vacuuming all surfaces in the work area (third cleaning). The negative pressure ventilation units shall remain in continuous operation during the 24 hour settling period, and the third cleaning process.

- f) All containerized waste shall be removed from the work area and the holding area on a daily basis. The contractor may temporarily store asbestos containing materials in large metal, locked dumpsters or an enclosed truck at the abatement site. At the conclusion of the abatement project, all temporarily stored asbestos containing materials shall be removed from the abatement site and be transported to an Illinois EPA approved disposal location.

- g) All tools and equipment shall be removed from the work area and decontaminated in the equipment decontamination enclosure system.

- h) The Contractor shall inspect the work area for visible residue by wiping surfaces with a dark cloth. If any accumulation of residue is observed, the residue will be assumed to be asbestos and the 24 hour cleaning cycle/settling period shall be repeated.

Section 855.230 Clearance Air Monitoring and Analysis

- a) Following the completion of cleanup operations, the Contractor shall notify the Asbestos Project Manager that work areas are ready for clearance air monitoring.

- b) The Asbestos Project Manager shall conduct a visual inspection of the work area. If the work area is found to be clean, the Asbestos Project Manager shall then arrange for the Air Sampling Professional to sample the air in the work area and adjacent areas for airborne fiber concentrations. The Air Sampling Professional shall conduct

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- c) clearance air monitoring as explained in this Section. Sampling shall not begin until at least 24 hours after wet cleaning has been completed and no visible pools of water or condensation remain.

- d) The HEPA filtered negative air pressure equipment shall be in operation in the area during clearance air monitoring.

- e) The air sampling shall be conducted using collection media and procedures in accordance with NIOSH Standard Analytical Method P & CAM 239 or NIOSH Method 7400 or Electron Microscope Measurement of Airborne Asbestos Concentrations, USEPA Report 500/2-77-178 (Rev. 1978) and USEPA Contract No. 68-02-3266 (1984). Air volumes shall provide statistically reliable results for a concentration of 0.01 fibers per cubic centimeter of air (f/cc) or lower as determined by phase contrast microscopy or an asbestos fiber concentration of less than or equal to the outside air as determined by transmission electron microscopy. The sampling zone shall be representative of the building occupants' breathing zone.

- f) Standard sampling equipment shall consist of a pump (operated at a 2 to 12 liter per minute flow rate), a filter in a cassette and associated tubing and supports. Two types of filters can be used:
 - 1) PCM --- cellulose ester with 0.8 or 1.2 um pore size;
 - 2) TEM --- polycarbonate with 0.4 um pore size; or cellulose ester with 0.8 um pore size.

- g) Air sampling equipment shall not be placed in corners of rooms or near obstructions such as furniture. Within the above constraints, samplers shall be placed at random around the work area.

- h) The following aggressive sampling techniques shall be used during all clearance air monitoring:
 - 1) Before starting the sampling pumps, direct the exhaust from forced air equipment (such as a horsepower leaf blower) against all walls, ceiling, floors, ledges and other surfaces in the room. This shall take at least 5 minutes per 1000 sq. ft. of floor.
 - 2) Place a 20-inch fan in the center of the room. (Use one fan per 10,000 cubic feet of room space.) Place the fan on slow speed and point it toward the ceiling.
 - 3) Start the sampling pumps and sample for the required time.
 - 4) Turn off the pump and then the fan(s) when sampling is completed.

- i) When using Transmission Electron Microscopy for clearance air monitoring the following sampling procedures, analysis methods, and release criterion shall be followed:
 - 1) Air Sampling:
 - A) Draw at least 3,000 liters of air through each filter at a rate of 2 to 12 liters per minute.
 - B) The required sampling volume for the TEM air test is calculated from the theoretical detection limit of the TEM analysis procedures, and from typical levels of asbestos against which measurements in the work area will be

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compared:

Volume liters=
(1 f/10 grid squares) (855 mm) (1 liter) = 3054

(0.005 f/cc) (0.0056 mm) (1000 cc)

Where:

- i) 1 f/10 grid squares (the maximum recommended filter counting area) is the smallest number of fibers needed to make a non-zero measurement. (This is below the limit of reliable quantification).
 - ii) 0.005 f/cc is a typical outdoor asbestos level in urban areas, as measured by TEM.
 - iii) 855 mm² is the collection area of a 37 mm diameter filter.
 - iv) 0.0056 mm² is the area of each grid square (75 um per side) in a 200 mesh electron microscope grid. This value will vary from 0.0056 to 0.0081 mm² for different grids. Larger grid squares will improve measurement accuracy for the same sampling volume.
- C) A minimum of five samples inside and five outside the work area shall be taken. The "outside" samples shall be collected outside the work area, but inside the building. These outside samplers shall be located to avoid any air that might escape through the containment barriers. Minimum requirements are at least 50 ft. from the entry portal to the work area, or 25 ft. from the plastic containment barriers. This provides a comparison between the work area and the incoming air.

2) Analysis:

- A) Use the EPA provisional method (USEPA Contract No. 68-02-3266 (1984)). The sample shall be transferred directly from the polycarbonate filter to the electron microscope grid.
 - B) Include at least one field blank and one laboratory blank per abatement job for quality control purposes (A blank is a filter that is not used for sampling but is otherwise treated in the same way as other filters). Also, split one work area sample and conduct duplicate analyses.
 - C) Express the results as f/cc.
- 3) Interpretation of Results. The Student's "t" test shall be used to compare inside and outside levels.
- A) Compute the natural logarithm of fiber concentration for each sample.
 - B) Compute means of the log transformed data for inside samples and outside samples.
 - C) Form the ratio:

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Where:

GRAPHIC MATERIAL
See printed copy of IAC for detail

- i) $Y[1]$ = average of log concentrations inside the work area
 - ii) $Y[2]_0$ = average of log concentrations outside the work area
 - iii) S =
 - iv) $n[1]$ = number of samples collected inside the work area
 - v) $n[2]$ = number of samples collected outside the work area
- D) Then compare T to the 95 percentile point of a "t" distribution with $n1+n2-2$ degrees of freedom. (When 5 samples are collected inside and outside the 95 percentile point is 1.86).
- 4) Release Criteria:
- A) If the average fiber concentration of the work area samples is not statistically larger than the average of the "outside" samples, the abatement project is complete, and the Contractor shall be released from the project. Each homogeneous area shall pass the test before the Contractor is released.

Example:

Measurements inside the work site (f/cc)	Measurements outside the work site (f/cc)
0.002	0.001
0.007	0.010
0.030	0.008
0.028	0.001
0.001	0.025

$$Y = -5.03$$

$$Y = -5.39$$

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S = 1.49

T = 0.38

T = is less than 1.86. The contractor is released.

- B) If the average of the work area samples is statistically larger than the average of the outside samples, clean the entire work area again and repeat the test (collect new work area samples and follow the procedures described above).

Example:

Measurements inside the work area (f/cc)	Measurements the work area (f/cc)	outside (f/cc)
0.052	0.001	
0.130	0.010	
0.005	0.008	
0.240	0.001	
0.375	0.025	

Y = -2.54 Y = -5.39

S = 1.59

T = 2.84

T = is greater than 1.86. The area must be recleaned.

- j) When using Phase Contrast Microscopy for clearance air monitoring, the following sampling procedures, analysis methods, and release criterion shall be followed:

1) Air Sampling:

- A) Draw at least 3,000 liters of air through each filter at a rate of 2 to 12 liters per minute.
 B) The equivalent PCM limit of reliable quantification for a sampling volume of 3,000 liters is:

Quantification Limit =	
(10 f/100 fields)	(1 liter) = 0.01f/cc
-----	-----
(3,000 liters)	(0.003 mm2) (1000 cc)

Where:

- i) 10 f/100 fields is the limit of reliable

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quantification for the P&CAM 239 method.

- ii) 855 mm is the collection area of a 37 mm diameter filter.
 iii) 0.003 mm is the size of a typical field of view for a PCM microscope. This value will vary from 0.0003 to 0.006 mm for different microscopes. Larger fields of view will improve (decrease) the limit of reliable quantification.
 C) By increasing the sampling volume, the PCM criterion can be made proportionally more stringent:

Volume	Quantification Limit
3,000 liters	0.01 f/cc
5,000	0.006
7,500	0.004

- D) If the new NIOSH 7400 PCM method is used, the limit of reliable quantification will be lower for the same sampling volume.
 E) Collect at least five samples per homogeneous work area, or one per room, whichever is greater.

2) Analysis:

- A) Measure the asbestos on each filter with PCM using the NIOSH P&CAM 239 or NIOSH 7400 procedures.
 B) Include at least one field blank and one laboratory blank per abatement project, for quality control purposes. Also, split one work area sample for duplicate analysis.

3) Interpretation of Results:

- A) The measured level of each sample is compared with the PCM limit of reliable quantification for the volume of air sampled (approximately 0.01 f/cc for 3,000 liters). If any of the samples exceeds 0.01 f/cc, the work area shall be recleaned.
 B) The probability that each of the 5 samples will pass the test and the contractor will be released given that the actual fiber level in the work area is as indicated below:

Actual Fiber Level (f/cc)	Probability of Release
0.001	0.998
0.002	0.94
0.003	0.81
0.004	0.64
0.005	0.49
0.01	0.12
0.02	0.01
0.05	0.0003

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4) Release Criteria:

- A) Release the contractor from the abatement project if every sample value is 0.01 f/cc or below.
- B) If any of the sample values is above 0.01 f/cc, the Contractor shall clean the entire work area again, collect new samples, and evaluate the samples as described above.
- k) The Air Sampling Professional shall report the clearance air monitoring results in writing to the Asbestos Project Manager.
- l) Areas exceeding 0.01 f/cc as determined by phase contrast microscopy (PCM), or exceeding the outside air as determined by transmission electron microscopy (TEM) shall be recleaned by the Contractor using wet methods and providing a negative HEPA filtered exhaust system during the recleaning process. This process of recleaning, allowing surfaces to dry and retesting shall be repeated until the clearance level is achieved.

Section 855.240 Disposal Procedures

- a) Sealed and labeled containers of asbestos-containing waste shall be removed and transported to a prearranged disposal location.
- b) All dump receipts, trip tickets, transportation manifests and/or other documentation of disposal shall be delivered to the Building Owner for his records. A record-keeping format utilizing a chain-of-custody form shall include the names and addresses of the Building Owner, Contractor, pickup site, disposal site, the estimated quantity of the asbestos waste and the type and number of containers used. The form shall be signed by the Building Owner, the Contractor, and the Disposal Site Operator, as the material changes custody. If a separate hauler is employed, his name, address, telephone number and signature shall also appear on the form.
- c) The Contractor shall transport asbestos materials in accordance with the following procedures:
 - 1) Drums, bags and wrapped components that have been removed from the work area shall be loaded into an enclosed truck for transportation. Cargo areas shall be locked when unattended.
 - 2) The enclosed cargo area of the truck shall be free of debris and lined with 6-mil polyethylene sheeting to prevent contamination from leaking or spilled containers. Floor sheeting shall be installed first and extend up the side walls. Wall sheeting shall overlap by six (6) inches and be taped into place.
 - 3) Drums shall be placed on level surfaces in the cargo area and packed tightly together to prevent shifting and tipping. Large structural components shall not be placed on top of bags of asbestos-containing materials and shall be secured to prevent shifting. Containers shall not be thrown into the truck cargo area.
 - 4) Personnel loading asbestos-containing waste shall be protected by disposable clothing, including head, body and foot protection

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- and, at a minimum, half-facepiece, air-purifying, dual cartridge respirators equipped with high efficiency filters.
- 5) Any debris or residue observed on containers or surfaces outside of the work area resulting from cleanup or disposal activities shall be immediately cleaned up using HEPA filtered vacuum equipment and/or wet methods.
- 6) Large metal dumpsters or enclosed cargo area of the truck used for asbestos waste disposal shall have metal doors or metal tops that can be closed and locked to prevent vandalism, wind dispersion of asbestos fibers, or other disturbance of bagged asbestos debris. Unbagged material and nonasbestos waste shall not be placed in these containers. Bags shall be placed, not thrown, into these containers to avoid splitting.
- 7) Asbestos-containing materials shall be transported directly to the landfill. Temporary storage at a location other than the abatement project shall not be permitted.
- d) The Contractor shall dispose of asbestos materials in accordance with the following procedures:
 - 1) Upon reaching the landfill, trucks shall approach the dump location as closely as possible for unloading of the asbestos-containing waste.
 - 2) Bags, drums and components shall be inspected when off-loaded at the disposal site. Material in damaged containers shall be repacked in empty drums or bags.
 - 3) Waste containers shall be placed on the ground at the disposal site, not pushed or thrown out of trucks (weight of wet material could rupture containers).
 - 4) Personnel off-loading containers at the disposal site shall wear protective equipment consisting of disposable head, body and foot protection and, at a minimum, half-facepiece, air-purifying, dual cartridge respirators equipped with high efficiency filters.
 - 5) Following the removal of all containerized waste, the truck cargo area shall be decontaminated using HEPA vacuums and/or wet methods. Polyethylene sheeting shall be removed and discarded in bags or drums along with contaminated cleaning materials and protective clothing once daily.

Section 855.250 Reestablishment of the Work Area and HVAC Systems

The Contractor shall reestablish the work area in accordance with the following procedures:

- a) Reestablishment of the work area shall only occur following the completion of the cleanup procedures and after clearance air monitoring has been performed and documented to the satisfaction of the School Board or Building Owner.
- b) The Contractor and Building Owner shall visually inspect the work area for any remaining visible residue. Evidence of contamination shall necessitate additional cleaning in accordance with Section 855.220.

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- c) Additional air monitoring shall be performed in accordance with Section 855.230 if additional cleanup is necessary.
- d) Following completion of clearance air monitoring of the work area in accordance with Section 855.230, remaining polyethylene barriers and worker and equipment decontamination enclosure systems shall be removed and disposed of as asbestos-contaminated waste. Following removal, the entire area, including HVAC filter assembly and duct work, shall be wet cleaned or HEPA vacuumed to remove residual asbestos fibers.
- e) Mounted objects removed from former positions during area preparation activities may be rescued.
- f) Objects that were removed to temporary locations may be relocated to original positions.
- g) New filters shall be installed in HVAC systems, and mechanical and electrical systems shall be reestablished in working order.

Section 855.260 Asbestos Project Manager Licensing and Responsibilities, Air Sampling Professional Licensing and Responsibilities and Laboratory Services

a) Asbestos Project Manager

- 1) The Department shall issue an "Asbestos Project Manager License" to qualified applicants. In order to qualify an applicant shall:
 - A) Submit to the Department a certificate of successful completion of a US EPA or state approved contractor/supervisor four (4) day training course and examination. If the contractor/supervisor course was taken more than one year prior to application, a copy of a certificate of completion from a US EPA or state approved one day (8 hour) contractor/supervisor refresher course shall be submitted.
 - B) Provide the Department evidence of one year, on-site working experience in building construction projects or three months, on-site, working experience assisting the licensed project manager on asbestos abatement projects.
 - C) Submit a completed application to the Department.
 - D) Submit a 1" x 1" photograph of applicant for proper identification of licensee. The license shall not be issued without the identification photograph.
- 2) The Asbestos Project Manager shall be the Building Owner or a designated representative, and shall be responsible for carrying out the following activities:
 - A) Assist in decision making regarding selection of procedures.
 - B) Assist in writing contract specifications and variance requests for the abatement project(s).
 - C) Assist in evaluation of bids and selection of a contractor.
 - D) Enforce contract specifications.
 - E) Inspect and approve barriers and decontamination enclosure systems.
 - F) Observe project activities at all times during the course of

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- abatement.
- G) Meet with the Contractor daily to review work progress and solve problems or adjust procedures as appropriate.
- H) Perform all workplace inspections and clearance inspections for the Building Owner.
- I) Report on abatement activities to the Building Owner and/or School Board.
- J) Request, review and maintain Contractor submittals according to Sections 855.60 and 855.180.
- K) The Project Manager shall go inside the abatement project at least once every two hours to inspect ongoing removal of asbestos containing material.
- 3) One Project Manager shall be required per contained area.
- 4) The Asbestos Project Manager shall have the authority to stop any job activities not performed in accordance with contract specifications and any provisions of the rules of this Part. The Building Owner and Department shall be notified verbally, within 24 hours of the work stoppage, by the Asbestos Project Manager. A written report shall follow reported to the Building Owner with a description of the activity, reason for stoppage and possible means for correcting the problem.
- Agency Note: The Asbestos Project Manager should be selected as early as possible prior to selection of the Contractor to enable participation during the pre-bid conference, walk-through, and pre-construction conference.
- 5) The Asbestos Project Manager shall keep a daily log of onsite observations concerning contractor's compliance with activities required under the rules of this Part. This log shall be legible and made available upon request at all times to the School Board or Building Owner, the architect/engineer and to appropriate local, state and federal agencies.
- 6) A comprehensive final report, consisting of observations, air monitoring results and contractor's submittals according to Sections 855.60 and 855.180 shall be submitted to the School Board or Building Owner, the Contractor, and the Department within 60 working days following final clearance testing.
- b) Air Sampling Professional (ASP)
 - 1) The Department shall issue an "Air Sampling Professional License" to qualified applicants. In order to qualify, an applicant shall:
 - A) Submit to the Department a certificate of successful completion of the NIOSH course #582 "Sampling and Evaluating Airborne Asbestos Dust" or a course equivalent in length and content.
 - B) Submit to the Department a copy of a transcript and evidence of obtaining a Bachelor's Degree in the life, environmental or physical sciences or in engineering. Certified Industrial Hygienists may in lieu of a degree submit their American Board of Industrial Hygienist Certificate.

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- C) Submit to the Department written verification of 3 months experience in general indoor air pollution sampling; or in lieu of a degree, written verification of 12 months on-site experience in air sampling for asbestos on abatement projects.
- E) Submit a completed application to the Department.
- F) Submit a 1" X 1" photograph of applicant for proper identification of licensee. The license shall not be issued without the identification photograph.
- 2) The Air Sampling Professional shall conduct or supervise all air sampling for the School Board or Building Owner.
- 3) The Air Sampling Professional shall conduct air sampling in accordance with the (NIOSH) National Institute for Occupational Safety and Health Method 7400.
- 4) At any time, Air Sampling Professional may analyze air monitoring samples collected for clearance purposes by Phase Contrast Microscopy (PCM) to confirm completion of removal, encapsulation, or enclosure of Asbestos containing building materials (ACBM) that is less than or equal to 160 square feet or 260 linear feet.
- 5) From October 8, 1989, to October 7, 1990, air sampling professional may analyze air monitoring samples collected for clearance purpose by PCM to confirm completion of removal, encapsulation, or enclosure of ACBM that is less than or equal to 1,500 square feet or 500 linear feet.
- 6) All projects larger than subsection (b)(5) of this Section shall be analyzed by Transmission Electron Microscopy (TEM). See Section 855.230 (Clearance Air Monitoring and Analysis) and October 30, 1987 Federal Register for more information.
- 7) The following schedule shall be utilized for air sampling during the project in addition to OSHA compliance monitoring:
- A) Background air samples shall be collected prior to the start of abatement activities in order to determine background airborne fiber concentrations. Samples shall be taken both inside and outside of the work area to establish existing levels.
- B) The following schedule of samples shall be required on a daily basis once abatement activities begin. The size of the abatement activity will have impact on the number of samples necessary to monitor the Contractor's activities. The following are required minimums:
- i) 2 Area Samples inside the work area including worker and equipment decontamination enclosure systems,
 - ii) 1 Personal Samples inside the work area,
 - iii) 2 Area Samples outside the work area in uncontaminated areas of the building including one at the entrance to the worker decontamination enclosure,
 - iv) 1 Area Sample at the exhaust of negative pressure ventilation equipment.

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- C) Agency Note: Decisions on the number of samples should be made with the advice of the Air Sampling Professional.
- 8) Area sampling shall be conducted using collection media and procedures in accordance with NIOSH Method 7400. The selected air volume shall provide statistically reliable results for a concentration of 0.01 f/cc when possible. In these situations NIOSH method 7400 Third Revision, May 15, 1989, should be strictly followed. In relatively clear atmosphere, where targeted fiber concentrations are much less than 0.1 fibers/cc, use larger sample volumes (3,000 to 10,000 l) to achieve quantifiable loadings (see sampling, 4, note 1 of those standards.) Air samples shall be analyzed by Phase Contrast Microscopy or Transmission Electron Microscopy (TEM) depending on the size of the project.
- 9) Clearance air sampling shall be conducted following the cleaning phase of work (see Section 855.230). A sufficient number of samples shall be collected aggressively with portable fans circulating air in the work area to simulate actual use conditions to determine post-abatement air concentrations.
- c) Analyst Services
- 1) The individual or laboratory utilized for analyzing air samples shall be proficient in the NIOSH Proficiency Analytical Testing (PAT) or Asbestos Analyst Registry (AAR) program for asbestos analysis.
 - 2) The period of time permitted between the collection of air samples and the availability of results shall be less than 24 hours for samples collected during abatement activities. Timetables for results of background and clearance air samples shall be established by the School Board or Building Owner.
 - d) Project Manager/Air Sampler Duties Combined
The Project Manager and Air Sampling Professional shall be two separate individuals for each project unless approved by the Department through a variance request.

Section 855.270 Operations and Maintenance

The School Board or Building Owner shall designate an Asbestos Material Manager for the school. The manager shall be responsible for the implementation of an operations and maintenance plan. The plan shall be instituted in every school identified as having asbestos-containing materials and shall be enforced at all times. The plan shall be, in writing and meet the requirements of EPA (40 CFR 763) and OSHA (29 CFR 1926.58). The plan shall be submitted for approval to the Department and shall include the following:

- a) Records. Asbestos-containing materials shall be inspected every six months. The inspector shall note any change of general condition, water damage, delamination, decay, vandalism, impact or other disturbance of the asbestos-containing materials. Additional inspections shall be conducted whenever repairs, renovations or other

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activities are conducted in areas containing asbestos-containing materials.

- b) Air Monitoring. Air monitoring may be conducted at the time of the visual inspection to determine and document the airborne levels of asbestos fibers.
- c) Identification. Asbestos-containing materials shall be identified by signs, color codes or other methods to inform maintenance personnel in the event that the materials must be disturbed.
- d) Repair Procedures. Licensed asbestos workers shall be utilized when asbestos-containing materials must be disturbed or cleaned up in order to make building repairs. The following procedures shall be followed when asbestos-containing materials must be disturbed in order to effect repairs.

- 1) Shut down heating, cooling, or ventilating air systems to prevent fiber dispersal to other areas of the building.
- 2) Seal off openings in the work area, including windows, doorways, vents, and any other openings, with 6-mil polyethylene sheeting and duct tape.
- 3) Wear a respirator equipped with high efficiency filters and approved by the National Institute for Occupational Safety and Health (NIOSH).
- 4) Wear disposable full body coveralls and head gear.
- 5) Wet asbestos-containing materials with amended water before removal to reduce airborne fiber release.
- 6) Clean up work area using wet rags, mops or sponges, leaving no visible residue.
- 7) Seal asbestos-contaminated waste in 6-mil plastic bags and dispose of at a disposal site.
- e) Glovebag Procedures. A glovebag may be used to remove small amounts of friable asbestos-containing materials from pipes, valves and elbows. (See Section 855.275)

Section 855.275 Glovebag Procedures

Glovebag procedures on pipe lagging shall be conducted using commercially available glovebags of 6-mil clear polyethylene, appropriately sized for the project. Glovebags may be shifted down a pipe or duct but shall not be moved from the initial pipe to another pipe. Glovebag procedures greater than 13 linear feet of pipe lagging shall require one (1) layer of 6-mil plastic tent containment area.

- a) All necessary tools and materials shall be brought into the work area before the glovebag procedure begins.
- b) The following schedule shall be utilized for air sampling during the project in addition to OSHA compliance monitoring:
 - 1) 1 personnel air sample for project that is greater than 3 hours duration.
 - 2) 2 area air samples.
 - 3) 1 area sample at the exhaust of negative pressure ventilation

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equipment.

- 4) After first clean, wait 12 hours settling period. Then second clean, wait 24 hours settling period and final air clearance.
- c) Glovebag repair procedures shall be done by a minimum of two licensed asbestos workers trained in glovebag procedures and equipped with full personal protective equipment. Full personal protective equipment means the entire body is covered with disposable clothing including head, torso, arms, legs and feet. Hands may be left exposed to provide greater mobility. Respirator protection shall be provided and shall be a minimum of an air purifying respirator.
- d) The pipe insulation diameter worked shall not exceed one half the bag working length above the attached gloves.
- e) The ACM within the secured glovebag shall be wetted with amended water prior to stripping.
- f) The bag is to be attached securely around the insulation, forming a smooth seal. A gasket material may be inserted between the tape and bag to facilitate bag movement. The bag shall be securely attached to the insulation in a manner to prevent air transfer.
- g) The integrity of the glovebag seal shall be smoke tested. The contents of a smoke tube shall be aspirated through the water port access sleeve of the bag. After twist sealing the access sleeve, the bag shall be squeezed gently to check for leakage points, which are then taped airtight.
- h) If the pipe insulation adjacent to the section which will be worked on is damaged, or if the pipe insulation terminates, is jointed, or contains an elbow adjacent to the work section, the adjacent insulation shall be wrapped in 6 mil polyethylene sheeting and sealed airtight with duct tape.
- i) After the insulation has been repaired or removed, the unprotected pipe shall be sprayed with amended water and scrubbed with a bristle or nylon brush, to remove all visible ACM. The pipe, the interior of the bag, the insulation, and the tools shall then be sprayed with amended water. The enclosed atmosphere shall be misted and time allowed for the mist to settle out before breaking the seal to shift or remove the glovebag.
- j) Any exposed pipe insulation ends or repairs created by this procedure shall be:
 - 1) sealed with encapsulant prior to bag removal, or
 - 2) thoroughly wetted before bag removal and sealed with wettable cloth end caps and spray glue or any combination of these materials immediately following bag removal or shifting.
- k) The glovebag shall be shifted in a manner to minimize air transfer from the bag and shall not be shifted more than 3 times per glovebag.
- 1) The tools shall be pulled through with one or both glove inserts, thus turning the gloves inside out. The glove(s) is then twist sealed forming a new pouch, taped and severed mid-seal forming two separate bags.
- m) A HEPA vacuum shall be used for evacuation of the glovebag in

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- preparation for removal of the bag from the pipe or duct, for clean-up in the event of a spill, and for post project clean-up.
- n) With the glovebag collapsed and the ACM in the bottom of the bag, the bag shall be twisted several times and taped to seal that section during bag removal.
- o) A 6-mil polyethylene bag shall be slipped around the glovebag while it is still attached to the pipe. The bag shall be detached from the pipe.
- p) The asbestos-contaminated waste, the clean-up materials, and protective clothing shall be wetted sufficiently, double-bagged in minimizing air content, sealed separately, and disposed of in conformance with Section 855.240. The contractor is required to supply a respirator during an abatement project for his employees. The school district will provide a respirator for asbestos related work that the district is performing for general maintenance.
- q) The contractor or school (for maintenance employees) shall provide a minimum of air purifying respirators with dual (HEPA) filters and in compliance with OSHA (29 CFR 1926.58) and EPA (40 CFR 763, Subpart IV).

Section 855.280 Fines and Penalties

- a) In addition to any other action authorized by the Act and this Part, the Department may assess fines against the person for violation of any provision of the Act or this Part. The Department shall review each inspection report and stop work order according to criteria provided by this section to determine whether a fine will be assessed, the amount of any such fine, and whether each day of violation shall constitute a separate violation for purposes of fine assessment. The Department shall consider the following criteria independently and aggregately to determine whether a fine shall be assessed.
- 1) Whether a stop work order has been issued by the Department, and whether such order was strictly complied with by the person.
- 2) Whether the person has previously been cited for a violation of the Act or rules, except that any previously cited violation shall not be considered if such violation was held to be unfounded or unproved by a final order of the Department or by a court of competent jurisdiction, or if any previous citations for violations occurred more than three (3) years prior.
- 3) Whether the violation is of such nature as to result in the possibility of injury or other harm to the environment, to the person's agents or employees, to the Building Owner, users, or occupants, or to the general public.
- 4) Whether the violation appears to be the result of any degree of negligence by the person or by the person's agents or employees
- 5) Whether the person demonstrated good faith efforts (e.g. taking steps to correct or agreeing to correct the cited violations) to correct the violation upon receipt of oral or written notice of

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- the violation and whether such actions in fact corrected the violation.
- c) Criteria to determine the amount of a fine are the following, and all amounts determined pursuant to the criteria shall be added together to determine the total fine against the person:
- 1) For each stop work order \$1,000, plus \$1,500 per work day during which such order is in effect and during which the condition upon which the order is based remains uncorrected.
- 2) For each violation which in the opinion of the Department may cause or result in harm or injury to the health or safety of agents or employees of the person present at the work site \$100, multiplied by the number of such agents or employees present at the work site at any time on the date of violation (e.g. improper protective equipment under Section 855.80 or a contaminated clean room).
- 3) For each violation which in the opinion of the Department may cause or result in harm or injury to the health or safety of the building owners, users, or occupants of the building \$100, multiplied by the number of such persons present at the work site or in the building at any time on the date of violation (e.g. a tear in a polyethylene barrier between a work area and an occupied area).
- 4) For each violation which in the opinion of the Department may cause or result in contamination with asbestos fibers of any part of the building other than the work site \$1,000 (e.g. a tear in a polyethylene barrier).
- d) Violation of any provision of the Asbestos Abatement Act or of any provision of the rules of this Part shall be issued a warning letter:
- 1) First violation - the person shall be issued a warning letter
- 2) Second violation - the person shall be issued a fine according to Section 855.280. The repeat violation fine will be a minimum of \$1,000 plus a fine according to this Section.
- 3) Third violation - the person shall be issued a notice of removal from the list of licensed asbestos professionals.
- e) Each day a violation exists shall constitute a separate violation.
- f) The Department shall serve any notice of assessment of fine on the person in the same manner as any notice of license revocation provided pursuant to the Act and this Part, and the person shall have the same rights and opportunity for hearing as elsewhere provided pursuant to the Act and this Part. In the event the person does not request a hearing within the time allowed by the Act and this Part, the fine assessed shall be due in full at the expiration of time allowed to request hearing.
- g) All fine assessments which are upheld in whole or in part by final order of the Department shall be due in full at the conclusion of the time period for filing for administrative review pursuant to the Administrative Review Law (Ill. Rev. Stat. 1987, ch. 110, pars. 3-101 et seq.), unless the person has within that time filed proceedings in

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administrative review specifically appealing the fine assessment and unless the court has stayed the enforcement of the fine assessment.

Section 855.290 Asbestos Worker Licensing

- a) An asbestos worker shall be licensed by the Department prior to engaging in asbestos abatement activities.
- 1) The Department shall issue an "Asbestos Worker License" to qualified applicants. In order to qualify, an applicant shall:
- A) Be at least 18 years of age, and
- B) Attend a USEPA or state accredited asbestos worker or contractor/supervisor course, and pass the examination administered at the conclusion of the course.

- C) Submit a 1" X 1" photograph of applicant for proper identification of licensee. The license shall not be issued without identification photograph.

- 2) All licenses shall expire on January 31 of each year except licenses issued after October 31 and before February 1 shall expire on the next, following January 31. The licensee shall be charged a fee of \$15.00 for the issuance of a duplicate license.

- b) Application. Each person desiring licensure as an asbestos worker shall make application to the Department on forms provided by the Department. Each application shall be accompanied by a fee of \$25.00, and a certificate verifying satisfactory completion of the course required by subsection (a). If the training course was taken more than one year prior to application a copy of a certificate of completion for a US EPA or state approved one day (8 hour) refresher course must also be submitted. The Department shall have 60 days to process the application. The employees of the Illinois Department of Public Health, the Illinois Capital Development Board, and the United States Environmental Protection Agency shall be exempt from licensure fees when said licenses are used only for purposes related to their agency employment.

- c) Reciprocity. Each applicant for licensure who is licensed or certified for asbestos abatement in another state may request the reciprocal licensure. The Department shall evaluate the requirements for licensure in such other state and shall issue the license if the Department determines that the requirements for licensure in such other state are equal to or greater than the requirements for licensure in this State. Each applicant for licensure pursuant to this Section shall submit an application accompanied by a fee of \$25.00.

- d) Renewal of License. Any license issued pursuant to these rules may be renewed if the licensee submits the application and a \$25.00 fee as required by subsection (b) and submits a certificate of completion from an US EPA or state approved one day (8) hour worker refresher course as required by Section 855.300(a) within thirty (30) days prior to expiration of the license. Effective August 1, 1990, passing the

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refresher course examination will be required. The refresher course shall have been completed within one year prior to the license expiration date. If a renewal application is received after January 1, the applicant shall pay a late fee of \$15.00 in addition to the renewal fee of \$25.00. An applicant whose license has expired for a period less than 2 years may apply to the Department for reinstatement of his license. The Department shall issue such renewed license provided the applicant pays to the Department all lapsed license fees, plus a reinstatement fee of \$15.00. A license which has expired for more than 2 years may be restored only by successfully passing an approved asbestos abatement training course and reapplying.

- e) The Department shall provide written notice via certified mail of its decision to deny licensure or revoke licensure from an individual. The individual shall have fifteen (15) days to make a written request for an administrative hearing to contest the Department's decision. The Department's decision shall be based upon the following reasons:

- 1) The person has falsified information on the application for licensure.
- 2) The person performing duties outside the areas for which he is licensed.
- 3) The person has conducted any asbestos abatement activities in a manner hazardous to the public health in Illinois or in any other state where the person has acted in a similar capacity.
- 4) The person has violated any provision of the Asbestos Abatement Act or of any provision of the rules of this Part.

Section 855.300 Training Course Accreditation

- a) All inspectors, management planners, project designers, contractors/supervisors or workers training courses shall be accredited by the Department in accordance with this Part and with US EPA's Model Contractor Accreditation Plan (40 CFR 763, Subpart E, Appendix C) April 30, 1987. All air sampling professional training courses being conducted in the State of Illinois shall be registered with the Department. The Department shall develop a list of all training courses and make this list available upon request.

- b) Any educational institution or other person may apply for accreditation of a training course and refresher course by submitting the course content, review fee and application to the Department. The information to be submitted shall include:

- 1) The name and address of the sponsor planning to conduct the training course, the name of a contact person and telephone number;
- 2) A description of course, course schedule, number of hours, dates, and course fees;
- 3) A detailed outline of the course curriculum and the amount of time allotted for each topic;
- 4) A description of the teaching methods to be used to present each

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topic, (i.e., lectures, discussions, demonstrations and audio-visual materials).

- 5) Copies of written materials to be distributed including examination for the course. The refresher course will require examination effective August 1, 1990. The examination shall be the same number of multiple choice questions as required by the initial training course.

- 6) A description of the materials to be used for hands-on demonstrations;

- 7) A list of instructors and their qualifications;

- 8) Example of a numbered certificate of successful completion of the course. The certification shall include both the examination date and expiration date. The expiration date shall be one year after the date of examination.

- A) Training course certificates shall contain a statement indicating that the student passed the examination with a minimum score of 70%.

- B) Refresher course certificates shall contain a statement indicating that the student passed the examination with the minimum score of 70%.

- c) In order for training courses to be accredited, the applicant's course shall be in accordance with the following and US EPA 40 CFR 763, subpart E, Appendix C, "Asbestos Containing Materials in Schools; Model Accreditation Plan" (April 30, 1987):

- 1) Review fee of \$500.00 shall accompany the applicant's course material.

- 2) All training courses shall expire within one year from the date of accreditation. A renewal fee of \$500.00 shall be received by the Department prior to the course expiration date. If a renewal fee is received after the expiration date, the sponsor shall pay a late fee of \$100.00. An accredited training course which has expired for more than three months may be restored by reapplying. (See subsection (b).)

- 3) All previously approved training courses (those fully approved by US EPA) shall be accredited with the receipt of \$500.00 by the Department before August 1, 1990. Subsection (c)(2) shall also apply to all grandfathered accredited courses.

- d) In order for refresher courses to be accredited, the applicant's course shall be in accordance with the following and with US EPA 40 CFR 763, subpart E, Appendix C "Asbestos Containing Materials in Schools; Model Accreditation Plan" 52 FR 15881 through 15882 (April 30, 1987):

- 1) Applicant must be an accredited sponsor or applicant of a training course specific to that discipline.

- 2) The ratio of students to instructors shall not exceed 25 to one.

- 3) Review fee of \$250.00 shall accompany the applicant's course.

- 4) All refresher training courses shall expire after (1) year. A renewal fee of \$250.00 shall be received by the Department prior

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to the refresher course expiration date. If renewal is received after the expiration date, the sponsor shall pay a late fee of \$50.00. A refresher course which has expired for more than three (3) months may be restored by reapplying.

- 5) All previously US EPA fully approved refresher courses shall be grandfathered into accreditation with the receipt of \$250.00 before August 1, 1990. Subsection (c)(2) shall also apply to all grandfathered accredited courses.

- e) The Department shall grant two types of accreditation:

- 1) Contingent accreditation shall be granted to a sponsor which has submitted materials concerning course content, teaching methods and instructors qualifications which meet the requirements as previously enumerated in subsection (a)(b)(c)(d). Contingent accreditation shall expire after review by the Department.

- 2) Full accreditation shall be granted after the Department has conducted an onsite observation and evaluation of a training course in progress at an Illinois location, and has determined that the sponsor's training course meets the requirements of subsections (a)-(d).

- f) The Department shall provide written notice, via certified mail, of its decision to deny inclusion on or remove a training course sponsor from the list of training course sponsors. The applicant shall have fifteen (15) days to make a written request for an administrative hearing to contest the Department's decision. The Department's decision shall be based upon the following reasons:

- 1) Whether the person has been misrepresenting himself as an accredited training course sponsor in the State of Illinois or any other state.

- 2) Whether the person has violated the Consumer Fraud and Deceptive Business Practice Act. (Ill. Rev. Stat. 1989, ch. 121 1/2, par. 261 et seq.)

- 3) When determined by the Department that the course is not being conducted in accordance with the application approved by the Department.

Section 855.310 Administrative Hearings

All hearings shall be conducted pursuant to the Act and the Department's Rules of Practice and Procedures in Administrative Hearings, 77 Ill. Adm. Code 100.

Section 855.320 Emergency Stop Work Orders

The Department will issue emergency stop work orders in accordance with the provisions of Section 12a of the Act. When the Conditions under which abatement is being done have been brought into compliance with the provisions of the Act and rules of this Part, the Department shall authorize the reinstatement of the activities and reinstatement of the contractor on the Department's list of contractors. (P.A. 84-951, Section 12a).

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Section 855.330 State Funding and Priority Establishment**a) Asbestos Abatement Grants**

- 1) Eligibility. Educational facilities which have been inspected by the Department, found to have asbestos containing material and have received an order requiring removal, encapsulation or enclosure in accordance to Section 9b of the Act.
- 2) Application Process. Grant applications shall be supplied by the Department with each corrective action order. This application shall be completed and submitted to the Department with thirty (30) days after receipt of the corrective action order.
- 3) Funding Levels. Funding levels will be based on the following compensation and prioritization criteria.

A) Compensation. The amount of compensation will be determined by reference to the asbestos abatement grant index developed by the Illinois State Board of Education for public schools. The grant index for any public school district is equal to one minus the ratio of the district's equalized assessed valuation per pupil in weighted daily average attendance to the equalized assessed valuation per pupil in weighted daily average attendance of the district located at the ninetyeth percentile for all districts of the same type. (Section 9 b of the Act). Non-public schools shall receive compensation at a rate of 50% of the amount expended by the school for corrective action.

B) Prioritization. The funding priorities for asbestos abatement grant projects will be determined by the school inspection and hazard assessment pursuant to Section 855.30 and the corrective action orders pursuant to Section 855.40 for each area inspected. These priorities consist of Priority Ia for emergency corrective action orders, Priority Ib for immediate corrective action orders, Priority II for one year corrective action orders and Priority III for four year corrective action orders.

- 4) Suspension and Termination of Funding. The grant award shall be suspended for any violation of this part until such time as the Department determines that the rules are being met. At any time appropriations are terminated, the Capital Development Board or Department shall terminate the grant.

5) Monitoring and Reporting. The Capital Development Board in conjunction with the Department, shall oversee the project to determine the safety and adherence to the rules of this part.

- 6) Period of Obligation. The Department reserves the right to deny a grant when submitted at a time when it is impractical or impossible to comply with the time frames established in the order for correction actions, i.e., four years.

b) Asbestos Abatement Reimbursements

- 1) Eligibility. Educational facilities which have completed an

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asbestos abatement project are eligible to apply for reimbursement for those costs incurred during the project in accordance to Section 9a of the Act.

- 2) Application Process. Reimbursement applications shall be supplied by the Department. This application shall be completed and submitted to the Department in accordance with the time frames established by the Department.
- 3) Funding Levels - methods of compensation. Funding levels shall be based on the asbestos abatement grant index as developed by the Illinois State Board of Education. The grant index for any public school district in equal to the one minus the ratio of the district's equalized assessed valuation per pupil in weighted daily average attendance to the equalized assessed valuation per pupil in weighted daily average attendance of the district located at the ninetyeth percentile for all districts of the same type. Section 9 b of the Act. The method of compensation shall be 20% of the amount of reimbursement established for the public or non-public school district per year for five successive fiscal years.

Section 855.340 Inspector Licensing

- a) The Department shall prepare and maintain a list of licensed school inspectors. The list shall be made available to all School Boards or Building Owners and shall be used to select school inspectors. A licensed school inspector shall conduct the inspection of each educational facility.

b) The Department shall issue a "School Inspectors License" to qualified applicants. In order to qualify, an applicant shall:

- 1) Submit to the Department a certificate of successful completion of a US EPA or state approved course on Building Inspection. If the building inspection course is older than one year, then also provide with the application a copy of a certificate of completion from an approved half-day (4 hour) Building Inspector Refresher Course which has been completed within one year of the date of application.
- 2) Submit to the Department written verification of experience of a minimum of six months of experience inspecting buildings for asbestos-containing materials, or a minimum of one year and six months of experience in direct planning of construction projects and/or construction project inspection. Inspection experience is based on on-site experience, not total time employed. Submit evidence of experience in hours, not years or months.
- 3) Have a high school degree or Graduate Education Degree certificate.
- 4) Submit a completed application which is provided by the Department.
- 5) Submit a 1" X 1" photograph of applicant for proper

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identification of licensee. The license shall not be issued without identification photograph.

Section 855.345 Procedures for School Inspections

- a) **Scheduling Inspections.** Contact the school to schedule an inspection date and time. Request that materials (floor plans, ladders) necessary to conduct the inspection be available at that time.
- b) **Building Records.** Review school building records for asbestos-containing building materials listed in building specifications. This review may be useful in determining those sites where asbestos-containing building materials are present or likely to be present.
- c) **Building Inspections.**
 - 1) A school inspector approved by the Department shall be onsite to inspect or supervise inspection of each educational facility.
 - 2) Inspections shall be conducted only during non-school hours. Samples shall not be collected in areas where and at times when students or school personnel are present.
 - 3) Visually inspect all areas of the school building including classrooms, cafeterias, auditoriums, gymnasiums, locker rooms, offices, hallways, tunnels, boiler rooms, mechanical rooms, above drop ceilings, crawl spaces, ventilation ducts, attics basements, etc.
 - 4) Identify and establish homogeneous sampling areas for friable and nonfriable materials.
 - 5) Take a picture or pictures of materials sampled and damaged areas found. Identify locations where pictures were taken.
 - 6) Complete the form "Building Inspection for Friable and Nonfriable Materials" for each school or facility. (See Appendix B, Illustration A.)

d) Sampling Friable and Nonfriable Materials

- 1) Calculate the area of each homogeneous friable and nonfriable surface (allow for beams, vaulted ceilings, etc.). If materials appearing uniform were installed at different times, designate the two materials as distinct homogeneous areas.
- 2) Draw a diagram for each homogeneous sampling areas as described in subsection (h)(1) of this Section.
- 3) Determine random sample points using the method described in subsection (m) of this Section.
- 4) Collect a minimum of three samples for each homogeneous sampling area of less than 1,000 square feet. For areas from 1,000 to 5,000 square feet, collect a minimum of five samples. For homogeneous areas greater than 5,000 square feet, a minimum of seven samples is required.
- 5) If pipe and boiler insulation are in good condition (not friable), do not sample. The Superintendent of the school district may want to request a variance (Section 855.70) for the

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inspectors to sample material that is in good condition. Assume that those areas are asbestos containing and record as such. However, damaged pipe and boiler insulation are considered distinct sample areas, and three samples must be collected for each such homogeneous material found. Wall and ceiling tiles must also be sampled. Collect three samples from each homogeneous type of tile found. Pipe, pipe joints and boiler insulation are all different homogeneous areas. Do not sample as one homogeneous area.

- 6) Collect at least one bulk sample from each homogeneous area of patched thermal system insulation that is not assumed to be ACM if the patched section is less than 6 linear or square feet.
- 7) Bulk samples are not required to be collected from any homogeneous area where the accredited inspector has determined that the thermal system insulation is fiberglass, foam glass, rubber, or other non-asbestos containing building materials.
- 8) Miscellaneous materials. Collect in a manner sufficient to determine whether material is asbestos containing materials (ACM) or not asbestos containing materials. An accredited inspector shall collect bulk samples from each homogeneous area of friable miscellaneous material that is not assumed to be asbestos containing materials.
- 9) Nonfriable suspected asbestos containing building materials (ACBM). If any homogeneous area of nonfriable suspected ACM is not assumed to be ACM, then an accredited inspector shall collect, in a manner sufficient to determine whether the material is ACM or not ACM, bulk samples from the homogeneous area.

e) Sampling Precautions

- 1) Sample friable materials with only necessary personnel present. Do not disturb the materials any more than necessary.
- 2) Wear a NIOSH approved respirator equipped with high-efficiency filters when sampling friable materials or when moving ceiling tiles to access friable materials.
- 3) Seal sampled materials with a clear, nonflammable encapsulant.
- 4) Clean up any visible materials by wet mopping or by wiping with a damp cloth.
- 5) When carpet is present, place a plastic drop cloth under the sample point to facilitate easy clean up.
- 6) Dispose of contaminated materials (e.g. wiping cloths, mop heads) in sealed, labeled 6-mil plastic bags.

f) Sampling Procedures:

- 1) Spray the materials with a light mist of water to reduce fiber release during sampling.
- 2) Gently cut and remove a small core of the material penetrating all layers including any paint or protective coating. Wet-wipe any reusable instrument before reuse.
- 3) Place the sample in a whirl-pak plastic bag. Seal the bag and wipe the exterior with a damp cloth to remove any materials.

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- 4) Label each bag with a sample ID number.
- 5) Seal the samples for each school in a second plastic bag.
- 6) Record each sample collected including the date, sampling location and ID number. Complete the form "Asbestos Bulk Analysis" and submit samples to a US EPA approved laboratory until the National Bureau of Standards develops an accreditation program. Thereafter, all bulk samples shall be analyzed by a NBS accredited laboratory.
- g) Reporting. Submit to the Department with the Management Plan referenced in Section 855.355 one (1) copy of the inspection report which shall include a narrative description of building components and a completed "Building Inspection for Friable and Nonfriable Materials" form for each school inspected. Include photographs and sample area diagrams with sample locations. All photographs must be reproduced from negatives. Do not send photo copies of photographs. Each sample must have a photograph to show condition of the material.
 - 1) To expedite the efficient review of the inspection reports, they shall be organized and submitted in the following order:
 - A) Each report shall be put in a 3-hole report cover. (Not a 3 ring binder.)
 - B) Identify the school district, school building, city and county on the front cover.
 - C) Assemble the report in the following order:
 - i) Appendix B, Illustration A
 - ii) Narrative Report
 - iii) Each sample area:
 - Appendix B, Illustration B (2 pages) Identifying sample area; drawing to scale or dimension; indicate on plan where samples were taken; Photographs of material where samples were taken; Indicate the sample number which applies to each photo; Use the reference material to determine the number of samples required based on the square footage in the sampling area.
 - 2) The inspection report will not be considered complete until bulk samples are received by an approved laboratory. A copy of the laboratory submittal sheets shall be included with the inspection report.
 - h) For each sampling area, prepare a diagram showing all friable and nonfriable materials in the sampling area. Construct the diagram on graph paper as follows:
 - 1) Clearly indicate the approximate dimensions of all rooms, corridors, or other school building areas included in the diagram. If these measurements are not readily available, rooms will need to be measured using a tape measure or by pacing. Prepare the diagram approximately to scale. See Appendix B, Illustration C.
 - 2) Distinguish between friable and nonfriable material areas of the sampling area and areas in the diagram that are not contained in

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- the sampling area.
- 3) Draw on the diagram approximately to scale any of the following features that are found within the sampling area:
 - A) Damage caused by water or high humidity.
 - B) Damage due to vandalism, rough use, or other factors.
 - C) Patched or repaired material.
 - D) Areas that are inaccessible for the purpose of sampling the friable or nonfriable material.
- i) If one sampling area contains friable or nonfriable material areas that are not adjacent (for example, areas on different floors of the school building where the material is the same), sketch each separate area according to the above instructions. Place all sketches on the same graph, as closely together as possible. The sampling area may contain areas that are not in the same plane (for example, a ceiling and a wall with the same type of friable or nonfriable material). In this case, sketch each flat surface according to the above instructions and place these sketches on the same graph, as close together as possible.
- j) On each sampling area diagram, record the following information:
 - 1) Sampling area identification (ID) number that distinguishes the sampling area from all others of the school building.
 - 2) Brief description of the sampling area.
 - 3) Area dimensions and scale.
 - 4) Name and address of the school.
 - 5) Name and telephone number of the school official contacted.
 - 6) Name of inspector and date of inspection.
 - 7) Name of person preparing the diagram and date prepared.
- k) For piping, vent and boiler diagrams:
 - 1) Draw a diagram which includes room dimensions and sample locations. See Appendix B, Illustration D.
 - 2) Briefly describe sample locations.
- l) Include these diagrams with the "Building Inspection" form.
- m) Sampling Procedure
 - 1) Divide the sampling area into 9 equally sized subareas. This is done by dividing the length and width of the sampling area into 3 equal lengths and 3 equal widths and drawing a grid over the diagram (see Appendix B, Illustrations C through G). This can be done carefully by eye. Exact measurements are not needed.
 - 2) The diagrams in Appendix B, Illustration E show which subareas to use in order to follow a random sampling scheme. For the first area you intend to sample, number the 9 subareas as shown for sampling area #1 in this illustration. If three samples are needed, take them from the subareas marked 1, 2 and 3. If 5 samples are needed, take them from the subareas marked 1, 2, 3, 4 and 5, and so on. Take samples from approximately the center of a subarea; or as close as possible to the center if inaccessibility, presence of light fixtures, etc., make the center location impractical. If a subarea is specified that

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falls entirely outside the sampling area, use the next specified subarea instead. For example, if subarea 3 falls outside the sampling area, take the third sample from subarea 4.

- 3) For very irregularly shaped areas, the sampling area may be divided into 9 approximately equally sized subareas that do not necessarily form a rectangular grid. The diagrams in Appendix B, Illustration E will then need to be adapted to the specific situation. Appendix B, Illustration F shows an example of a Y-shaped sampling area that was divided into 9 equally sized subareas. The first diagram of Appendix B, Illustration E was adapted accordingly to number the subareas. When adapting sampling diagrams, retain the order of the numbered subareas from left to right and top to bottom wherever possible.
- 4) For each sampling area, use a new diagram in Appendix B, Illustration E. If you have more than 18 sampling areas, start again at the top of this illustration (sampling area #1) to determine sampling locations for sampling area 19.

Section 855.350 Management Planner Licensing and Responsibilities

- a) The Department shall prepare and maintain a list of licensed management planners. The list shall be made available to all School Boards or Building Owners and shall be used to select a management planner.
- b) In accordance with 40 CFR 763, a licensed management planner shall prepare the asbestos management plan for an educational facility. This plan shall be prepared from the inspection report which contains the assessment done by the accredited inspector and the bulk sample analyses done by a US EPA approved laboratory. A list of EPA approved laboratories is available upon request from the Department.
- c) The Department shall issue a "Management Planner License" to qualified applicants. In order to qualify, an applicant shall:
 - 1) Submit to the Department a certificate of successful completion of a US EPA or state approved course on Building Inspection and Management Planning. If the building inspection course or management planning course is older than one year, then also provide with the application a copy of a certificate of completion from an approved half-day (4 hour) building inspector refresher and half day (4 hour) management planner course which has been completed within one year of the date of application.
 - 2) Submit to the Department a copy of an Illinois Architectural license; or an Illinois Professional Engineer license; or an Illinois Structural Engineer License, or industrial hygienists certificate, or
 - 3) Submit to the Department a copy of transcript and Bachelor's Degree or higher in architecture, engineering, mathematics or science; and meet the experience requirements of an accredited inspector; or

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- 4) Submit a Bachelor's Degree and written verification of two years experience in asbestos inspections, instructions, project management, project design or other asbestos management and control activities.
- 5) Submit a 1" X 1" photograph of applicant for proper identification of licensee. The license shall not be issued without identification photograph.
- d) Responsibilities of a management planner: A management planner shall develop the management plans for each school of his contract in accordance with Section 855.355.

Section 855.355 Management Plan

- a) In accordance with 40 CFR 763, each Local Educational Agency (LEA) shall submit to the Governor's designated state agency the management plan for each individual school, no later than October 12, 1988. The management plan shall comply with the management plan protocol in Section 855. Appendix B Illustration H and Illustration I.
- The management plan for each school building shall include:
 - 1) Inspection report with assessment of each homogeneous area as required in Section 855.345.
 - 2) Laboratory analysis report.
 - 3) Response action plans for each homogeneous area of ACM in accordance with 40 CFR 763.90.
 - 4) Operations and maintenance program for each homogeneous area of ACM until such time as it is removed.
- c) Any management plan submitted without all materials listed in subsection (b)(1)-(4) shall be considered incomplete and shall be returned to the LEA.
- d) The Department shall have 90 days to respond to the submitted management plan. The Department shall consider the following factors in deciding to approve or disapprove a management plan: the timeliness of submission, preparation by an accredited management planner approved by the Department, inclusion of an inspection report prepared by an accredited inspector approved by the Department, and inclusion of the materials required under subsection 855.355(b) above.
 - 1) If the plan is not disapproved within this time, the LEA shall implement the plan.
 - 2) If the plan is disapproved within this time, the LEA has 30 days to resubmit the plan. The Department may allow, in writing, an extension of an additional 60 days for resubmittal. The Department will consider the size of facilities, number of buildings and the degree to which the management plan fails to comply with the requirements of this Part, before granting an extension.

Section 855.360 Project Designer Licensing and Responsibilities

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a) The Department shall prepare and maintain a list of licensed project designers. The list shall be made available to all School Boards or Building Owners and shall be used to select a project designer.

b) In accordance with 40 CFR 763, an accredited project designer shall plan the response actions to the ACM for the LEA.

c) The Department shall issue a "Project Designer License" to qualified applicants. In order to qualify, an applicant shall:

1) Submit to the Department a certificate of successful completion of either a US EPA or state approved contractor/supervisor four (4) day training course or a US EPA or state approved project designer course. If the contractor/supervisor course or project designer course is older than one year, then also provide with the application a copy of a certificate of completion from an approved one day (8 hour) contractor/supervisor or one day (3 hour) project designer refresher course.

2) Submit to the Department a certificate of successful completion of US EPA approved courses on Building Inspection and Management Planning. If the Building Inspection or Management Planning course are older than one year, then also provide with the application a copy of a certificate of completion from an approved half day (4 hour) Building Inspection and half day (4 hour) Management Planning refresher course.

3) Submit to the Department a copy of an Illinois Architectural license; or an Illinois Professional Engineer license; or an Illinois Structural Engineer License or a Certified Industrial Hygienists Certificate.

4) Submit a completed application which is provided by the Department.

5) Submit a 1" X 1" photograph of applicant for proper identification of licensee. The license shall not be issued without identification photograph.

d) Responsibilities of an abatement project designer:

1) The abatement project designer shall plan the abatement project in accordance with the response action of the management plans and all Federal and State rules governing such action (i.e., 40 CFR 61; 29 CFR 1910 and 1926 and this Part. All such planning shall be undertaken in compliance with the relevant provisions of the "Illinois Architectural Act" (Ill. Rev. Stat. 1989, ch. 111, pars. 1201 et seq.), the "Illinois Professional Engineering Act" (Ill. Rev. Stat. 1989, ch. 111, pars. 5101 et seq.) the "Illinois Structural Engineering Act", (Ill. Rev. Stat. 1989, ch. 111, pars. 6501 et seq.) and the "Illinois School Code" (Ill. Rev. Stat. 1988, ch. 122). Certified Industrial Hygienist may act as an asbestos project designer when a project design only applies to interior alterations of surface materials in an existing building which does not involve structural changes or changes to the electrical, heating, air conditioning, physical plant or associated piping. The project designer shall certify that the

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project design meets or exceeds all Federal, State, and local regulations and codes.

2) The abatement project designer shall design or directly supervise the specifications and plans for each individual project. These contract documents shall bear his I.D. Number and his handwritten signature.

3) The abatement project designer shall be responsible for the design specifications and plans prepared by them in accordance with applicable laws and standard of care required by those providing professional services.

Section 855.370 Response Contractor Indemnification Fund

a) The Department shall review all contracts submitted by schools to verify whether the person is licensed by the Department.

b) The local educational agency may choose to seek indemnification under the Response Contractor Indemnification Act and submit an amount equal to 5% of the total value of the contract to the Department before the start of the project. The payment shall be delivered to the Division of Environmental Health, Illinois Department of Public Health, 525 West Jefferson, Springfield, IL 62761 along with the contract to be reviewed. All checks shall be made payable to the Illinois Department of Public Health for deposit into that fund.

c) Approval by the Department of any contract for inclusion in the indemnification fund does not in any way constitute endorsement of the terms of said contract, either legal or technical, nor does it constitute any guarantee by this Department of the contractor's ability to complete the terms of said contract.

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Section 855.APPENDIX A Illustrations

Section 855.ILLUSTRATION A Notice of Asbestos Removal in Advance of Renovation

DATE: _____

This form is to be completed in full and filed by the Contractor with both State and Federal EPA Officials as early as possible before the start of a renovation involving the stripping or removal of at least 260 linear feet of asbestos materials on pipes or at least 160 square feet of asbestos materials on ducts, boilers, tanks, reactors, turbines, furnaces, load-supporting members (such as beams and load-supporting walls), or nonload-supporting members (such as ceilings and nonload-supporting walls).

CONTRACTOR:
NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ PHONE: () _____

BUILDING OWNER OR OPERATOR
NAME: _____
ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ PHONE: () _____

BUILDING INFORMATION
SIZE OF BUILDING (number of floors, approximate square footage): _____

AGE OF BUILDING: _____
IMMEDIATE PRIOR USE OF BUILDING: _____
ADDRESS OF BUILDING: _____
CITY: _____ STATE: _____ ZIP: _____
NATURE AND METHOD OF RENOVATION: _____

ABATEMENT INFORMATION
DESCRIPTION OF ASBESTOS-CONTAINING MATERIAL: _____

APPROXIMATE AMOUNT OF ASBESTOS MATERIAL ON PIPES (linear feet; if none, so state): _____
APPROXIMATE AMOUNT OF ASBESTOS MATERIAL ON OTHER FACILITY COMPONENTS (square feet; if none, so state): _____
ABATEMENT TECHNIQUE (Example: "wetting and sealing in leak-tight containers"):

ABATEMENT DATES: START: _____ FINISH: _____

DISPOSAL SITE
LANDFILL NAME: _____
ADDRESS: _____

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CITY: _____ STATE: _____ ZIP: _____ PHONE: () _____

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Section 855. ILLUSTRATION B Notice of Asbestos Abatement

Date: _____

This form is to be completed in full and filed by the Contractor with the Department and the School Board or the Building Owner at least two weeks before the start of an asbestos abatement project.

CONTRACTOR

ID# _____

NAME: _____

ADDRESS: _____

SCHOOL DISTRICT OR BUILDING OWNER

BUILDING OWNER: _____

SCHOOL NAME AND DISTRICT: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: () _____

BUILDING INFORMATION

SIZE OF BUILDING: _____

ADDRESS OF BUILDING: _____

CITY: _____ STATE: _____ ZIP: _____

USE OF BUILDING: _____

NATURE AND METHOD OF ABATEMENT: _____

ABATEMENT INFORMATION

ESTIMATED COST OF ABATEMENT _____

DESCRIPTION OF ASBESTOS-CONTAINING MATERIAL: _____

APPROXIMATE AMOUNT OF ASBESTOS MATERIAL ON PIPES (linear feet; if none, so state): _____

APPROXIMATE AMOUNT OF ASBESTOS MATERIAL ON OTHER FACILITY COMPONENTS (square feet, if none, so state): _____

ABATEMENT TECHNIQUE: _____

ABATEMENT DATES

START: _____ FINISH: _____

DISPOSAL SITE: _____

LANDFILL NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: () _____

ASBESTOS PROJECT MANAGER: _____

ID# _____

PHONE: () _____

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AIR SAMPLING PROFESSIONAL: _____ ID# _____ PHONE: () _____
PROJECT DESIGNER: _____ ID# _____ PHONE: () _____

COPY OF SECTION 855.180(g): ABATEMENT PERMISSION AND THE ESTIMATED COST OF THE TOTAL PROJECT FROM BUILDING OWNER

SIGNATURE OF CONTRACTOR: _____

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Section 855. ILLUSTRATION C Addresses for Asbestos Renovation Notices in Illinois

United States Environmental Protection Agency

Region 5
Bruce Varner
Enforcement Division
230 S. Dearborn Street
Chicago, Illinois 60604
(312) 886-6793

Illinois Environmental Protection Agency

Cook, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will
Counties:

Sy Levine, Manager
Region I
Division of Air Pollution Control
Illinois EPA
1701 First Avenue
Maywood, Illinois 60153
(312) 345-9780

All other counties:

Miles Zamco, Manager
Field Operations Section
Division of Air Pollution Control
Illinois EPA
2200 Churchill Road
Springfield, Illinois 62706
(217) 782-7326

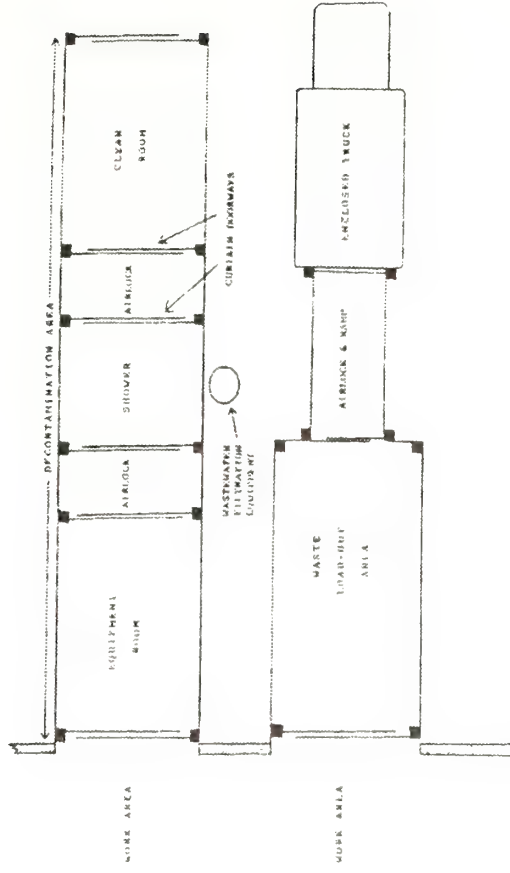
Illinois Department of Public Health

Division of Engineering and Sanitation
Asbestos Abatement Section
535 West Jefferson
Springfield, Illinois 62761
(217) 782-5830

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Section 855. ILLUSTRATION D - Worker and Equipment Decontamination Systems



Sketch of Typical Decontamination Area and Waste Load-out Area

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Section 855.APPENDIX B Illustrations-Inspection and Management Plan Forms

Section 855.ILLUSTRATION A Building Inspection for Friable and Nonfriable
Materials

School I.D. _____

Inspection Completion Date _____

School Name _____

School Address _____

Total Square Footage _____

Total Man Hours For Inspection _____

Total Man Hours For The Report Preparation _____

Total School Occupancy _____

Total Past Occupancy _____

School District _____

District # _____

School Official _____

Telephone # _____

Inspection Company _____

Telephone # _____

Company Address _____

City, State _____

Zip _____

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School Inspector's Signature _____

Date _____

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Section 855. ILLUSTRATION B Inspection Report Form

Category _____

Sample Area I.D. _____ Inspection Date _____

School Name _____

Building _____

Address _____

City _____

Room(s) _____

Sample Nos. _____

Inspector(s) _____

Location of Area: _____

Description of Material Sampled: _____

Friability: High _____ Moderate _____ Low _____ Area Estimate: _____ ft

Water Damage: Yes _____ No _____ Pipe Diameter: _____ in

Physical Damage: Heavy _____ Moderate _____ Low _____ None _____

Type of Wall: Smooth Concrete _____ Gypsum Board _____ Textured Concrete _____ Masonry _____ Other _____

Type of Floor: Concrete _____ Carpet _____ Tile _____ Wood _____ Other _____

Type of Ceiling: Acoustic Tile _____ Exposed Structure _____ Textured Plaster _____

Accessibility:

Height of friable material from floor: _____ ft

Existence of barriers: Suspended Ceiling _____ Encapsulation _____

Other _____

Proximity to items requiring maintenance:

Electrical _____ Ventilation _____ Plumbing _____ Other _____

Less than 1 ft. _____ More than 1 ft. - Less than 5 ft. _____

More than 5 ft. _____

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Ventilation system:

Vents near friable material: Yes _____ No _____
Distance _____ ft. Return Grille _____ Supply Grille _____

Air Movement: Heavy _____ Moderate _____ Low _____

Activity and Movement:

Use of Room: _____

Activity: High _____ Moderate _____ Low _____

What is above room? _____

What is adjacent to room? _____

Comments: _____

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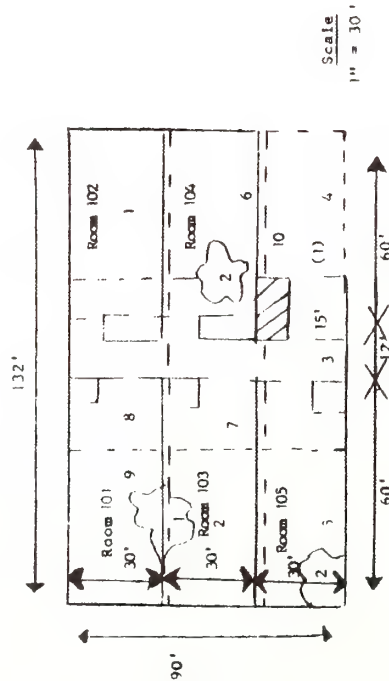
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Section 855. Illustration C Sampling Area Diagram (Ceiling and Floor)

Descriptions Sampling area ID #1

Classroom Annex (Constructed in 1962)
Friable Ceiling Material - First Floor Classroom
Gray Textured spray finish
Stuccoed in appearance

All ceiling areas sketched below comprise sampling area (1), with one exception noted.



(Measurements are inside dimensions)

- (1) Water Damage
- (2) Ceiling broken and falling
- (3) Stairwell ceiling not friable - not in sampling area (1)

School I.D. # _____ School Name _____
Address _____ Phone Number _____
Inspector Name & ID# _____ Date of Inspection _____
Diagram Prepared By _____ Date _____

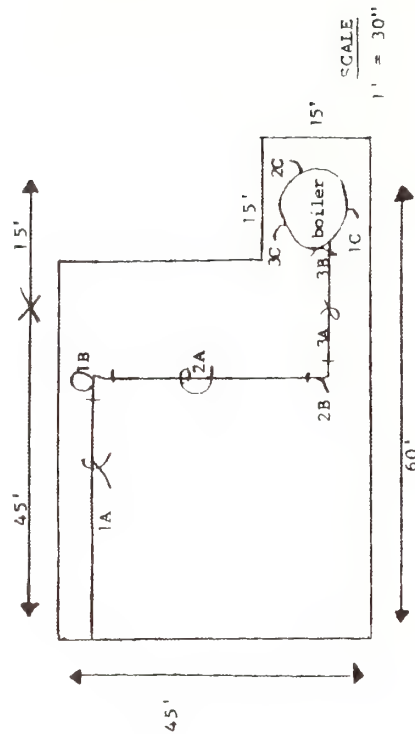
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Description of Boiler Room Sampling Area ID# A, B, C

Construction 1957
Damaged friable pipe and boiler insulation
Grayish-white chalky material

Each should Sample Area "A" - Pipe Insulation



be a separate diagram Sample Area "B" - Pipe Joints

and sampling area Sample Area "C" - Boiler Insulation
Note: Do not sample the above as one sample area

School: _____ School Official: _____
Address: _____ Telephone Number: _____
Inspector: _____ Diagram Prepared By: _____
Inspection Date: _____ Date: _____

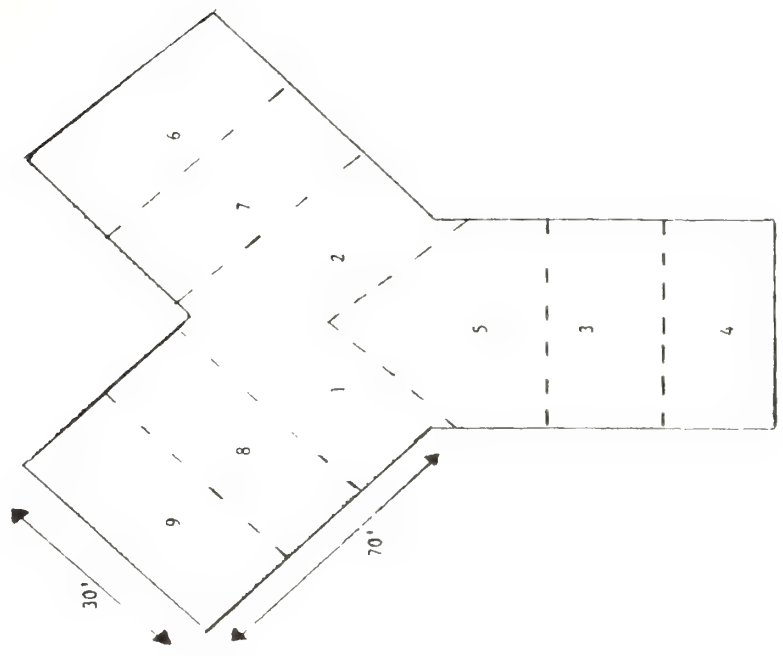
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Section 855. Illustration F Irregularly Shaped Random Sampling Area

Section 855. Illustration E Random Sampling Table

For each sampling area, take the first sample from the center of subarea marked 1, take the second sample from the center of the subarea marked 2, etc.

Sampling Area	Sampling Locations	Sampling Area	Sampling Locations	Sampling Area	Sampling Locations
1	9 8 1 2 7 5 9 3 4	7	5 1 1 4 3 6 2 7 9	13	8 5 2 3 6 9 7 1 6
2	8 7 1 3 9 5 4 2 6	8	5 7 1 6 3 4 2 8 9	14	4 1 6 3 9 7 8 5 2
3	4 1 7 2 9 6 8 5 3	9	3 6 4 9 2 7 5 8 1	15	3 5 6 9 2 8 7 4 1
4	6 1 8 5 9 3 2 7 4	10	5 7 3 8 1 6 2 9 4	16	4 1 3 2 5 9 7 1 6
5	6 4 3 1 5 8 9 2 7	11	5 1 6 3 4 9 7 8 2	17	8 2 7 4 5 3 1 9 6
6	7 4 3 6 1 5 2 9 8	12	7 1 9 2 4 5 6 8 3	18	2 5 9 6 1 8 4 7 3



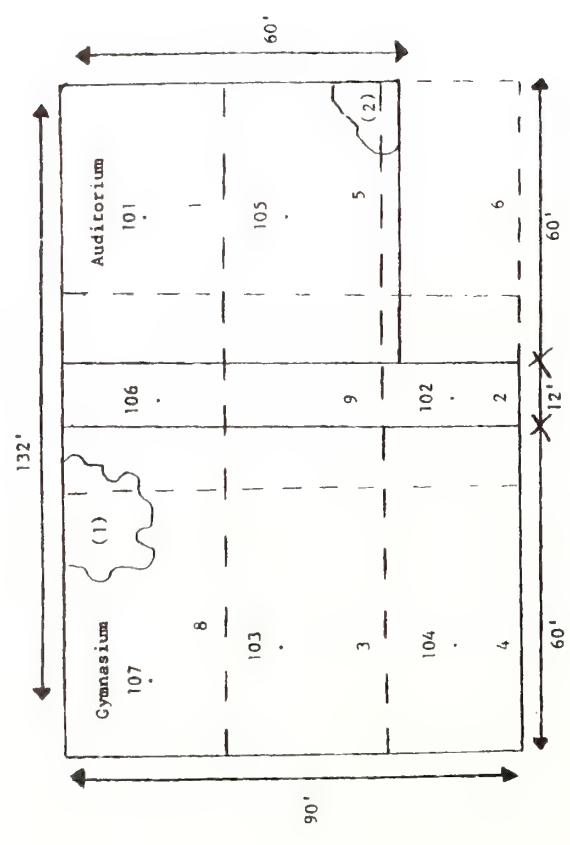
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Section 855. Illustration G Regular Shaped Random Sampling Area

Description:
Activity Center Annex (Construction in 1962)
Gray textured spray with finish
Stuccoed in appearance
All ceiling areas sketched below comprise Sampling Area (2)

Sampling Area ID



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(1) Water Damage
(2) Ceiling broken and falling
School: _____
Address: _____
Inspector: _____
Inspection Date: _____

School Official: _____
Telephone Number: _____
Diagram Prepared By: _____
Date: _____

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Section 855. ILLUSTRATION H Protocol for Asbestos Management Plan

- 1) A list of the name and address of each school building and whether the school building contains friable ACM, nonfriable ACM, and friable and nonfriable suspected ACM assumed to be ACM.
- 2) For each inspection conducted before the December 14, 1987:
 - i) The date of the inspection.
 - ii) A blueprint, diagram, or written description of each school building that identified clearly each location and approximate square or linear footage of any homogeneous or sampling area where material was sampled for ACM, and, if possible, the exact locations where each bulk sample was collected, date of collection, homogeneous areas where nonfriable suspected ACM is assumed to be ACM.
 - iii) A copy of the analyses of any bulk samples, dates of analyses, and a copy of any other laboratory reports pertaining to the analyses.
 - iv) A description of any response actions or preventive measures taken to reduce asbestos exposure, including if possible, the names and addresses of all contractors involved, start and completion dates of the work, and results of any air samples analyzed during and upon completion of the work.
 - v) A description of assessment, required to be made under Section 763.88, of material that was identified before December 14, 1987 as friable ACM or friable suspected ACM assumed to be ACM, and the name and signature, State of accreditation, and if applicable, accreditation number of each accredited person making the assessments.
- 3) For each inspection and reinspection conducted under Section 763.85:
 - i) The date of the inspection or reinspection and the name and signature, State of accreditation and, if applicable, the accreditation number of each accredited inspector performing the inspection or reinspection.
 - ii) A blueprint, diagram, or written description of each school building that identifies clearly location and approximate square or linear footage of homogeneous areas where materials was sampled for ACM, the exact location where each bulk sample was collected, date of collection, homogeneous areas where friable suspected ACM is assumed to be ACM, and where nonfriable suspected ACM is assumed to be ACM.
 - iii) A description of the manner used to determine sampling

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- locations, and the name and signature of each accredited inspector collecting samples, the State of accreditation, and if applicable, his or her accreditation number.
- iv) A copy of the analyses of any bulk samples collected and analyzed, the name and address of any laboratory that analyzed bulk samples, a statement that the laboratory meets the applicable requirements of Section 763.87(a) the date of analysis, and the name and signature of the person performing the analysis.
- v) A description of assessments, required to be made under Section 763.88, of all ACM and suspected ACM assumed to be ACM, and the name, signature, State of accreditation, and if applicable, accreditation number of each accredited person making the assessments.
- 4) The name, address, and telephone number of the person designated under Section 763.84 to ensure that the duties of the local education agency are carried out, and the course name, and dates and hours of training taken by that person to carry out the duties.
- 5) The recommendations made to the local education agency regarding response actions, under Section 763.88(d), the name, signature, reasons for selecting the response action or preventive measure and response action.
- 6) A detailed description of preventive measures and response actions to be taken, including methods to be used, for any friable ACM, the locations where such measures and action will be taken, reasons for selecting the response action or preventive measure and response action.
- 7) With respect to the person or persons who inspected for ACM and who will design or carry out response actions, except for operations and maintenance, with respect to the ACM, one of the following statements:
 - i) If the State has adopted a contractor accreditation program under section 206(b) of Title II of the Act, a statement that the person(s) is accredited under such plan.
 - ii) A statement that the local education agency used (or will use) persons who have been accredited by another State which has adopted a contractor accreditation plan under section 206(b) of Title II of the Act or is accredited by EPA-approved course under section 206(c) of Title II of the Act.
- 8) A detailed description in the form of a blueprint, diagram, or in writing of any ACM or suspected ACM assumed to be ACM which remains in the school once response actions are undertaken pursuant to Section 763.90. This description shall be updated as response actions are completed.

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- 9) A plan for reinspection under Section 763.85, a plan for operations and maintenance activities under Section 763.91, and a plan for periodic surveillance under Section 763.92, a description of the recommendation made by the management planner regarding additional cleaning under Section 763.91(c)(2) as part of an operations and maintenance program, and the response of the local education agency to that recommendation.
- 10) A description of steps taken to inform workers and building occupants, or their legal guardians, about inspections, reinspections, response actions, and post-response action activities, including periodic reinspection and surveillance activities that are planned or in progress.
- 11) An evaluation of the resources needed to complete response actions successfully and carry out reinspection, operations and maintenance activities, periodic surveillance and training.
- 12) With respect to each consultant who contributed to the management plan, the name of the consultant and one of the following statements:
- i) If the State has adopted a contractor accreditation plan under section 206(b) of Title II of the Act, a statement that the consultant is accredited under such plan.
 - ii) A statement that the contractor is accredited by another State which has adopted a contractor accreditation plan under section 206(b) of Title II of the Act, or is accredited by an EPA-approved course developed under section 206(c) of Title II of the Act.
- (f) A local education agency may require each management plan to contain a statement signed by an accredited management plan developer that such person has prepared or assisted in the preparation of such plan or has reviewed such plan, and that such plan is in compliance with this Subpart E. Such statement may not be signed by a person who, in addition to preparing or assisting in preparing the management plan also implements (or will implement) the management plan.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION I - Outline for Asbestos Management Plan

The management plan should be written to address all the requirements of the Asbestos Hazard Emergency Response Act as delineated in the Federal Register/Vol. 52, No. 210/Friday October 30, 1987/Rules and Regulations. However the level of detail and presentation format should be easily understood and followed by individuals with limited technical background and expertise. The following is the format to be used by management planners for local educational agency facilities in Illinois:

Title Page: Document title, name and address of facility, prepared by: date.

Policy Statement: A policy or position statement should be included to define the position of the building owner and management planner. This shall be signed by both parties.

Document Summary: Prepared in accordance with guidance contained in 40 CFR Part 763
Procedure for updating the document (response action completion, interim 6 month and annual (surveys)).

Responsible parties and certificates of documentation.

Table of Contents: Sections and Appendices

Section I General building description

General facility layout

History of asbestos detection and abatement efforts

Summary of the building inspection, including

inspection protocol, number of samples collected,

analytical protocol, quality control, and a listing of

areas where ACM (Asbestos Containing Material) was

identified.

Section II ACM functional characterization, assessment, and responses (each homogeneous functional area is addressed separately).
Narrative description

ACM physical assessment

Hazard assessment

Response action determined

Health and safety measures.

Section III Surveillance and Reinspection

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

6 month periodic surveillance, responsible personnel, tentative schedule, survey parameters, documentation provided 3 year reinspection, responsible personnel, tentative schedule, survey parameters, documentation provided.

Section IV

Training
Mandatory 2 hours training session for maintenance and custodial personnel, responsible individuals, course content, tentative schedule
Optional additional 14 hours for personnel potentially coming into contact with ACM, responsible individuals, course content documentation of training.

Section V

Operation and maintenance (include a policy statement of the intent to integrate O & M with response actions, and that contractors will accomplish all cleaning, recleaning, patch and spot repairs, etc.)
Posting requirements
Contingency plan for minor fiber release episodes and major fiber release episodes
Asbestos coordinator responsibilities
Method of notification
Documentation

Appendix A

Bulk sample results

Appendix B

Response action documentation, including location of response action for each functional area, type of response action (e.g., removal, cleaning), names and addresses of all contractors and relevant state accreditation/certification/licensing, starting and completion dates of the work, results of pre-, during, and post-abatement air sampling data, type and quality of material involved, disposal, cost.

Appendix C

Six month periodic surveillance records, including general description (visually surveyed for changes in material conditions), date of survey, and name of surveyor.

Appendix D

Three year reinspection records, including name and accrediting/certification/licensing of inspector, date of inspection, visual inspection summary assessment of material conditions (type and extent of damage, accessibility, etc.), record of any bulk samples collected with locations and analytical results

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Appendix E
Training documentation, included certificates of 2-hour training courses for custodial and maintenance personnel, name of person who corrected the training, and additional training certificates for asbestos worker training program.

Appendix F

Management plan availability, including copies of notices posted and dates of such posting.

The above format has been designed in such a way as to allow the inclusion of additional information as the asbestos program progresses. It should be recognized that the management plan, with its O & M component, is a dynamic document intended to inform the reviewer of the past history and the progress and accomplishment of the various response actions undertaken or be implemented. The appendices serve this function by permitting the insertion of new data and records as the program progresses. In this way, the document remains current without having to make major changes to the narrative text, which can become costly, inconvenient, and time consuming. This format also allows the management planner to design the forms.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855.APPENDIX C Illustrations-Application Forms

Section 855.ILLUSTRATION A - Application for the Accredited School Inspector License

ID# _____
For IDPH Use OnlyILLINOIS DEPARTMENT OF PUBLIC HEALTH
OFFICE OF HEALTH PROTECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR THE ACCREDITED SCHOOL INSPECTOR'S LIST

Type or Print

APPLICANT NAME _____
HOME ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
HOME TELEPHONE _____ COUNTY _____
(Area Code) _____
BIRTH DATE ____/____/____ SOCIAL SECURITY# ____/____/____
EMPLOYED BY _____
BUSINESS ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS TELEPHONE ____/____ COUNTY _____
(Area Code) _____
MAJOR BUSINESS ACTIVITY _____

REFERENCES

	NAME	ADDRESS	TELEPHONE
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my inclusion on or remove my name from the Department's list of approved Management Planners for knowingly making false or fraudulent claims.

Signature of Applicant _____ Date _____ IMPORTANT NOTICE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Public Act 83-1325. Disclosure of this information is mandatory. Failure to provide any information could result in exclusion from the inspector's list. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

COMPLETE THIS PORTION OF THE APPLICATION IN DETAIL
GIVE ONLY INFORMATION RELATED TO BUILDING INSPECTION

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

ASBESTOS COURSE COMPLETED
Course Title _____ Conducted By _____ Date Completed _____
1. _____
2. _____
3. _____

(Applicant shall attach a copy of certificates received)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

ID# _____
For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR SCHOOL INSPECTOR LICENSE
\$50.00 check or money order must accompany this Application

Type or Print

APPLICANT NAME _____
HOME ADDRESS (Street) _____ STATE _____ ZIP CODE _____
CITY _____
HOME TELEPHONE _____ COUNTY _____
BIRTH DATE _____ / _____ / _____ SOCIAL SECURITY# _____ / _____
EMPLOYED BY _____
BUSINESS ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS TELEPHONE _____ COUNTY _____
MAJOR BUSINESS ACTIVITY _____ (Area Code)

REFERENCES

NAME	ADDRESS	TELEPHONE
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for license for school inspector for knowingly making false or fraudulent claims.

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

Signature of Applicant _____ Date _____

IMPORTANT NOTICE

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq. . Disclosure of this information is mandatory. Failure to provide any information could result in denial of the inspector's license. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

COMPLETE THIS PORTION OF THE APPLICATION IN DETAIL
GIVE ONLY INFORMATION RELATED TO BUILDING INSPECTION

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ TELEPHONE _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ TELEPHONE _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ TELEPHONE _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

ASBESTOS COURSE COMPLETED
Course Title

Conducted By

Date Completed

1. _____
2. _____

(Applicant shall attach a copy of certificates received)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION B - Application for School Management Planner License

ID# _____
For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR SCHOOL MANAGEMENT PLANNER LICENSE
\$50.00 check or money order must accompany this Application

Type or Print

APPLICANT NAME _____
HOME ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
HOME TELEPHONE _____ / _____ COUNTY _____
(Area Code)

BIRTH DATE _____ / _____ / _____ SOCIAL SECURITY# _____ / _____
EMPLOYED BY _____
BUSINESS ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS TELEPHONE _____ / _____ COUNTY _____
(Area Code)

Attach a copy of your Illinois Architectural license, Illinois certificate of registration as a Professional Engineer, or National Certification as a Industrial Hygienist or a copy of your diploma with at least a Bachelor of Science in Engineering, Architecture, Mathematics or Science.

REFERENCES

NAME	ADDRESS	TELEPHONE
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for a Management Planner License for knowingly making false or fraudulent claims.

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Signature of Applicant _____

Date _____

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the management planner's license. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

COMPLETE THIS PORTION OF THE APPLICATION IN DETAIL
GIVE ONLY INFORMATION RELATED TO BUILDING INSPECTION

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ / _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ / _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____
EMPLOYMENT _____ to _____ / _____
(mo./yr.) (mo./yr.)

List and describe your duties and responsibilities.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION C - Application for the School Project Designer License

ID# _____
For IDPH Use Only
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR SCHOOL PROJECT DESIGNER LICENSE
\$50.00 check or money order must accompany this Application

Type or Print

APPLICANT NAME _____
HOME ADDRESS (Street) _____ STATE _____ ZIP CODE _____
CITY _____
HOME TELEPHONE _____ / _____ COUNTY _____
(Area Code)
BIRTH DATE _____ / _____ SOCIAL SECURITY# _____ / _____
EMPLOYED BY _____
BUSINESS ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS TELEPHONE _____ / _____ COUNTY _____
(Area Code)

Attach a copy of your Illinois Architectural license, Illinois certificate of registration as a Professional Engineer.

ASBESTOS COURSE COMPLETED

Course Title	Conducted By	Date Completed
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for a Project Designer License for knowingly making false or fraudulent claims.

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Signature of Applicant _____ Date _____

IMPORTANT NOTICE
This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the project designer's license. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Section 855, ILLUSTRATION D - Application for School Asbestos Abatement Project Supervisor License

ID# _____ For IDPH Use Only
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761
APPLICATION FOR SCHOOL ASBESTOS ABATEMENT PROJECT SUPERVISOR LICENSE
\$50.00 check or money order must accompany this Application

Type or Print

A'PLICANT NAME _____
HOME ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
HOME TELEPHONE _____ COUNTY _____
(Area Code) _____
BIRTH DATE _____ / _____ SOCIAL SECURITY# _____ / _____
EMPLOYED BY _____
BUSINESS ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS TELEPHONE _____ / _____ COUNTY _____
(Area Code) _____

Attach a copy of your Certificate along with the examination score from an EPA approved course for accreditation as a supervisor on an Asbestos Abatement Project

ASBESTOS COURSE COMPLETED

Course Title	Conducted By	Date Completed
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for a Project Designer License for knowingly making false or fraudulent claims.

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Signature of Applicant

Date

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the project supervisor's license. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION E - Application for Contractor License

ID#

For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR CONTRACTOR LICENSE

\$250.00 check or money order must accompany this Application

Type or Print

BUSINESS NAME

HOME ADDRESS (Street)

CITY

STATE

ZIP CODE

BUSINESS

TELEPHONE

/

COUNTY

(Area Code)

CONTACT PERSON

NUMBER OF EMPLOYEES

MAJOR BUSINESS ACTIVITY

(e.g. General Contracting, Insulating, etc.)

TYPE OF OWNERSHIP (Check)

Sole

Partnership

Proprietorship

Corporation

Trust

Association

Other

(Specify)

LIST OF OFFICERS

Name and Title

Address

SS#

1.

2.

3.

4.

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for the Contractor License for knowingly making false or fraudulent claims.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

Signature of Owner/Officer Date

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the contractor license. This form has been approved by the Forms Management Center.

IL 482-0730

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Section 855.ILLUSTRATION F - Application for School Air Sampling Professional License

ID# _____
For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR THE SCHOOL AIR SAMPLING PROFESSIONAL LICENSE
\$50.00 check or money order must accompany this Application

Type or Print

APPLICANT NAME _____

HOME ADDRESS (Street) _____

CITY _____ STATE _____ ZIP CODE _____

HOME TELEPHONE _____ / _____ COUNTY _____
(Area Code)

BIRTH DATE _____ / _____ / _____ SOCIAL SECURITY# _____ / _____ / _____

EMPLOYED BY _____

BUSINESS ADDRESS (Street) _____

CITY _____ STATE _____ ZIP CODE _____

BUSINESS TELEPHONE _____ / _____ COUNTY _____
(Area Code)

Attach a copy of your certificate of successful completion of NIOSH course #582 "Sampling and Evaluating Airborne Asbestos Dust," a bachelors degree in physical, environmental or life sciences or in engineering and three months of experience in general indoor air pollution sampling: or in lieu of Degree shall have twelve months of experience in air sampling for asbestos abatement projects.

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny my application for the Air Sampling Professional License for knowingly making false or fraudulent claims.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Submit one 1" X 1" photograph with the application (Head and Shoulders Only).

Signature of Applicant _____ Date _____

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the school air sampling professional license. This form has been approved by the Forms Management Center.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

COMPLETE THIS PORTION OF THE APPLICATION IN DETAIL
GIVE ONLY INFORMATION RELATED TO AIR SAMPLING PROJECTS

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____ to _____ TELEPHONE _____
EMPLOYMENT _____ (mo./yr.) _____ (mo./yr.) _____

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____ to _____ TELEPHONE _____
EMPLOYMENT _____ (mo./yr.) _____ (mo./yr.) _____

List and describe your duties and responsibilities.

EMPLOYED BY _____ JOB TITLE _____
ADDRESS _____ SUPERVISOR _____
CITY _____ STATE _____ ZIP CODE _____
DATES OF _____ to _____ TELEPHONE _____
EMPLOYMENT _____ (mo./yr.) _____ (mo./yr.) _____

List and describe your duties and responsibilities.

ASBESTOS COURSE COMPLETED
Course Title _____ Conducted By _____ Date Completed _____

1. _____
2. _____
3. _____

(Applicant shall attach a copy of certificates received)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION G - Application for the Asbestos Worker License

ID# _____
For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR ASBESTOS WORKER LICENSE

\$25.00 check or money order must accompany this Application
Payable to the Illinois Department of Public Health Only

Type or Print

APPLICANT NAME* _____

HOME ADDRESS (Street) _____

CITY _____ STATE _____ ZIP CODE _____

HOME TELEPHONE _____ / _____ COUNTY _____

AGE OF APPLICANT _____ DATE OF BIRTH _____

DRIVERS LICENSE # _____ STATE OF ISSUE _____

SOCIAL SECURITY NUMBER _____

EDUCATION OF APPLICANT GRADE SCHOOL 1 2 3 4 5 6 7 8
(circle highest grade HIGH SCHOOL 1 2 3 4
completed) COLLEGE 1 2 3 4

NAME OF APPROVED TRAINING COURSE ATTENDED _____

(Copy of certificate of completion shall be included with Application.)

Has applicant previously made application for a worker's license? Yes No

DATE ATTENDED: _____

Is applicant a licensed/certified worker in another state? Yes No

IF YES which state(s) _____ License #(s) _____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny, revoke or suspend my Asbestos Worker License for knowingly making false or fraudulent claims.

Signature of Applicant _____ Date _____

IMPORTANT NOTICE

This state agency is requesting disclosure of information that is necessary to accomplish the Abatement Act (Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.). Disclosure of this information is mandatory. Failure to provide any information could result in denial, revocation a suspension of the applicant's license. This form has been approved by the Forms Management Center.

Submit one 1" X 1 photograph of the applicant with this application (head and shoulders only). License will not be issued without photograph.

IL 482-0498 (rev. 3-88)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION H - Application for the School Project Manager License

ID# _____
For IDPH Use OnlyILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

APPLICATION FOR THE SCHOOL PROJECT MANAGER LICENSE LIST

\$50.00 check
or money order must accompany this application

Type or Print

APPLICANT NAME _____

HOME ADDRESS (Street) _____

CITY _____ STATE _____ ZIP CODE _____

HOME TELEPHONE _____ / _____
(Area Code) COUNTY _____

BIRTH DATE _____ / _____ / _____ SOCIAL SECURITY# _____ / _____

EMPLOYED BY _____

BUSINESS ADDRESS (Street) _____

CITY _____ STATE _____ ZIP CODE _____

BUSINESS TELEPHONE _____ / _____
(Area Code) COUNTY _____

I hereby certify that the information submitted is true and valid, and understand that the Illinois Department of Public Health may deny my inclusion on, or remove my name from the

IMPORTANT NOTICE
This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of the project manager license. This form has been approved

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

by the Forms Management Center.

Department's list of approved Project Managers for knowingly making false or fraudulent claims.

Signature of Applicant _____ Date _____

SUBMIT ONE 1" X 1" photograph with the application (head and shoulders only).

EMPLOYED BY _____

ADDRESS _____ JOB TITLE _____

CITY _____ SUPERVISOR _____

DATES OF _____ STATE _____ ZIP CODE _____

EMPLOYMENT _____ / _____ to _____ / _____
(mo./yr.) (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

EMPLOYED BY _____

ADDRESS _____ JOB TITLE _____

CITY _____ SUPERVISOR _____

DATES OF _____ STATE _____ ZIP CODE _____

EMPLOYMENT _____ / _____ to _____ / _____
(mo./yr.) (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

EMPLOYED BY _____

ADDRESS _____ JOB TITLE _____

CITY _____ SUPERVISOR _____

DATES OF _____ STATE _____ ZIP CODE _____

EMPLOYMENT _____ / _____ to _____ / _____
(mo./yr.) (mo./yr.) TELEPHONE _____

List and describe your duties and responsibilities.

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION I - Application for Training Course Accreditation

ASBESTOS COURSE COMPLETED
Course Title
1. _____
2. _____
3. _____

Conducted By _____ Date Completed _____

(Applicant shall attach a copy of certificates received)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

ID# _____ For IDPH Use Only
ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

\$500.00 certified check or money order must accompany this application

Type or Print

BUSINESS NAME _____
HOME ADDRESS (Street) _____
CITY _____ STATE _____ ZIP CODE _____
BUSINESS _____
TELEPHONE _____ / _____ COUNTY _____
(Area Code)
CONTACT PERSON _____ NUMBER OF EMPLOYEES _____
MAJOR BUSINESS ACTIVITY _____
TYPE OF OWNERSHIP (Check) (e.g. General Contracting, Insulating, etc.)
Sole _____ Partnership _____ Proprietorship _____ Corporation _____ Trust _____
Association _____ Other _____ (Specify) _____

LIST OF OFFICERS

Name and Title	Address	SS#
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny this training course accreditation for knowingly making false or fraudulent claims

Signature of Owner/Officer _____ Date _____

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF PROPOSED REPEALER

ASBESTOS COURSE COMPLETED
Course Title

1. _____
2. _____
3. _____

Conducted By _____ Date Completed _____

(Applicant shall attach a copy of certificates received)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of application for accreditation of training courses. This form has been approved by the Forms Management Center.

FOR IDPH USE ONLY

Date Received _____ Type of Approval: _____ Provisional _____ Date of Approval _____
Complete Set of Attachments Yes _____ No _____

IL 482-0500

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

Section 855. ILLUSTRATION J - Application for Refresher Course Accreditation

ID# _____

For IDPH Use Only

ILLINOIS DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH-ASBESTOS SECTION
525 WEST JEFFERSON STREET
SPRINGFIELD, ILLINOIS 62761

\$250.00 certified check or money order must accompany this application

Type or Print

BUSINESS NAME (Course Sponsor) _____

HOME ADDRESS (Street) _____

CITY _____

STATE _____

ZIP CODE _____

BUSINESS _____

TELEPHONE _____ / _____ COUNTY _____

(Area Code)

CONTACT PERSON _____

NUMBER OF EMPLOYEES _____

MAJOR BUSINESS ACTIVITY _____

(e.g. General Contracting, Insulating, etc.)

TYPE OF OWNERSHIP (Check)

Sole _____

Partnership _____

Proprietorship _____ Corporation _____ Trust _____

Association _____ Other _____

(Specify)

LIST OF OFFICERS

Name and Title

Address

SS#

1. _____

2. _____

3. _____

4. _____

I hereby certify that the information submitted is true and valid, and I understand that the Illinois Department of Public Health may deny this training course accreditation for knowingly making false or fraudulent claims

Signature of Owner/Officer _____ Date _____

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

IMPORTANT NOTICE

This State Agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under the Asbestos Act, Ill. Rev. Stat. 1989, ch. 122, par. 1401 et seq.. Disclosure of this information is mandatory. Failure to provide any information could result in denial of accreditation of the training course. This form has been approved by the Forms Management Center.

FOR IDPH USE ONLY

Date Received _____ Type of Approval: _____ Provisional _____ Date of Approval _____
Complete Set of Attachments Yes _____ No _____
Complete _____

IL 482-0500

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hearings and Enforcement Proceedings
- 2) Code Citation: 11 Ill. Adm. Code 204
- 3) Section Numbers: Proposed Action:
204.100 Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking allows a hearing officer to rule upon motions made during an administrative hearing. Under the current rule, motions must be decided by the Board which can create delays and extend the time necessary to complete an administrative hearing. This amendment will reduce those delays and allow for a timely completion of administrative hearings.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporation by reference? No
- 9) Are there any other proposed amendments pending in this Part? No
- 10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:

Gina DiCaro
Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, IL 60601
(312) 814-5070
- 12) Initial Regulatory Flexibility Analysis:

A) Types of small business affected: None
B) Reporting, bookkeeping or other procedures required for compliance: None
C) Types of professional skills necessary for compliance: None

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on the regulatory agenda because: The Board did not anticipate this rulemaking.

The full text of the proposed amendment begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER a: GENERAL RULES

PART 204

HEARINGS AND ENFORCEMENT PROCEEDINGS

Section

204.10	Applicability
204.20	Requests for Hearing
204.30	Purse Distribution
204.40	Appointment and Disqualification
204.50	Transcripts
204.60	Appearances
204.70	Service
204.80	Subpoenas
204.90	Depositions & Interrogatories
204.100	Evidence
204.110	Stipulations
204.120	Continuances
204.130	Closing Arguments
204.140	Findings of Fact and Conclusions of Law

AUTHORITY: Implementing Sections 9(b), 9(e), 14a, 15 and 16 and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b), 9(e), 14a, 15 and 16].

SOURCE: Appeals and Enforcement Proceedings, amended December 30, 1977; codified at 5 Ill. Reg. 10876; amended at 10 Ill. Reg. 3825, effective February 13, 1986; amended at 18 Ill. Reg. 7419, effective April 29, 1994; amended at 22 Ill. Reg. _____, effective _____.

Section 204.100 Evidence

- a) All witnesses testifying at hearings shall testify upon oath or affirmation.
- b) The Board shall consider all relevant evidence.
- c) The Board shall not be bound by technical rules of evidence.
- d) The hearing officer shall have ~~has~~ the authority to rule upon motions and objections, exclude inadmissible evidence and control the hearing in accordance with Section 10-40 of the IAPA [5 ILCS 100/10-40].
- e) Exhibits shall be plainly marked and identified. The record shall reflect the identity of the party offering an exhibit and shall indicate whether it was admitted into evidence.
- f) The hearing officer and the Board may take official notice of:
 - 1) the customs, usages and traditions of horse racing;
 - 2) matters within its specialized knowledge and expertise;

ILLINOIS RACING BOARD

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- 3) all matters of which the Circuit Courts of this state may take judicial notice.
- g) If a party has acted in bad faith or for purposes of delay or as to impede the Board in the discharge of its functions, he may be liable to a civil penalty pursuant to Section 9(1) of the Act.

(Source: Amended at 22 Ill. Reg. _____, effective _____)

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED REPEALER

- | 1) Heading of the Requirements | 2) Code Citation: 50 Ill. Adm. Code 4202 | 3) Section Number: | 4) Statutory Authority: Implementing and authorized by Section 1204 of the Illinois Insurance Code [215 ILCS 5/1204]. |
|--------------------------------|--|--------------------|---|
| | | 4202.10 | Repealed |
| | | 4202.20 | Repealed |
| | | APPENDIX A | Repealed |
| | | APPENDIX B | Repealed |
| | | APPENDIX C | Repealed |
| | | APPENDIX D | Repealed |
| | | APPENDIX E | Repealed |
| | | 4202.APPENDIX F | Repealed |
| | | 4202.APPENDIX G | Repealed |
| | | 4202.APPENDIX H | Repealed |
| | | 4202.APPENDIX I | Repealed |
| | | 4202.APPENDIX J | Repealed |
| | | 4202.APPENDIX K | Repealed |
| | | 4202.APPENDIX L | Repealed |
| | | 4202.APPENDIX M | Repealed |

- 4) Statutory Authority: Implementing and authorized by Section 1204 of the Illinois Insurance Code [215 ILCS 5/1204].
- 5) Effective Date of Repealer: March 3, 1998
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: March 3, 1998
- 9) Notice of Proposal Published in Illinois Register: September 26, 1997, 21 Ill. Reg. 12889
- 10) Has JCER issued a Statement of Objections to this repealer? No
- 11) Difference(s) between proposal and final version: No changes were made between the proposal and final version.
- 12) Have all changes agreed upon by the agency and JCER been made as indicated in the agreement letter issued by JCER? Yes
- 13) Will this repealer replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this part? No

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED REPEALER

15) Summary and Purpose of rulemaking: Part 4202 is being repealed and replaced by Part 4203. Part 4203 contains new filing requirements that will clarify the filing instructions, eliminate much of the data reporting currently required by Part 4202 and will reduce the filing requirement to once a year.

16) Information and questions regarding this adopted repealer shall be directed to:

Bruce Hrabak
Department of Insurance
320 West Washington
Springfield, Illinois
62767-0001
217-524-6279

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULE

- 1) Heading of Part: Insurance Cost Containment Data and Reporting Requirements
- 2) Code Citation: 50 Ill. Adm. Code 4203
- 3) Section Number: Adopted Action:
 4203.10 New Section
 4203.20 New Section
 4203.30 New Section
 4203.40 New Section
 4203.50 New Section
 4203.60 New Section
 4203.70 New Section
 4203.80 New Section
 4203.90 New Section
 4203.100 New Section
 4203.110 New Section
- 4) Statutory Authority: Implementing Article XLII and authorized by Section 1204 of the Illinois Insurance Code [215 ILCS 5/1200 through 1206].
- 5) Effective Date of rule: March 3, 1998
- 6) Does this rule contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: March 3, 1998
- 9) Notice of Proposal Published in Illinois Register: September 26, 1997, 21 Ill. Reg. 21 12944
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version:
- a) In the source note, Line 24, change "21" to "22".
 - b) In Section 4203.50, Line 841, add a period after "Stat".
 - c) In Section 4203.70, Line 982, add ")" after "respectively".
 - d) In Section 4203.70, Line 1088, change "physician" to "physicians".
 - e) In Section 4203.100, Line 1741, move period within ")".
 - f) In Section 4203.110, Line 1793, add a comma after "Collision".

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- g) In Section 4203.110, Line 1923, delete space between "62." and "63."
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of rulemaking: In response to much input from industry, the Department is promulgating this new administrative regulation which will replace Part 4202. Industry had expressed great concern that the Department's requirements were difficult to understand and offered many suggestions for revision. As a result, the Department modernized the data call portion of this Part and eliminated requests for data in some coverage classes. In addition, data will now be submitted on diskette rather than on computer tape and the Department has clarified its regulatory intent throughout this new Part.

- 16) Information and questions regarding this adopted rule shall be directed to:

Bruce Hrabak
Department of Insurance
320 West Washington
Springfield, Illinois 62767-0001
217-524-6279

The full text of the Adopted Rule begins on the next page.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULE

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER VV: INSURANCE COST CONTAINMENT

PART 4203
INSURANCE COST CONTAINMENT DATA AND REPORTING
REQUIREMENTS

Section	
4203.10	Applicability
4203.20	Purpose and Scope
4203.30	Data Collection Procedures
4203.40	General Submission Guidelines
4203.50	Required Data Types (Lines, Classes, and Coverages)
4203.60	Line Item Matrix For Cost Containment Reporting
4203.70	Coding Conventions For Other Liability, Medical Malpractice, Earthquake, Commercial Auto Liability, Business Owners Packages, and Excess Insurance
4203.80	Coding Conventions for Homeowner and Residential Fire Insurance
4203.90	Coding Conventions for Private Passenger Auto Liability Insurance (Excluding PIP)
4203.100	Coding Conventions for Private Passenger Auto Physical Damage
4203.110	Record Layout for the Four Formats

AUTHORITY: Implementing Article XLII and authorized by Section 1204 of the Illinois Insurance Code [215 ILCS 5/1200 through 1206].

SOURCE: Adopted MAR 3 1998 22 Ill. Reg. 4853, effective

Section 4203.10 Applicability

This Part shall apply to each company licensed to write property or casualty insurance in this State pursuant to Section 4, Class 2 (a)-(1) and Class 3 (a)-(i) of the Illinois Insurance Code [215 ILCS 5/4]. These procedures are applicable to all direct property and liability business written by insurers licensed by the State of Illinois. Only direct insurance business will be reported. The data filings are not to include premiums received from, or losses paid to, other insurers because of the reinsurance assumed by the reporting insurers; nor, shall any deductions be made by the reporting insurers for premiums ceded to, or for losses recovered from, other insurers because of the reinsurance ceded.

Section 4203.20 Purpose and Scope

The purpose of this Part is to establish content, form and data reporting requirements for information required to be reported to the Director of

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Insurance pursuant to Section 1204(A) through (D) of the Illinois Insurance Code [215 ILCS 5/1204]. This Part will also establish the medium by which such information shall be transmitted to the Director.

Section 4203.30 Data Collection Procedures**a) Scope of Procedure**

Each insurer shall report its business written separately for Illinois and multi-state (including Illinois) for each line, subline, or class, or endorsement specified by this Part. Where zip code reporting is required, each line, subline, class or endorsement shall be reported separately for each zip code. Zip code reporting will be required for Illinois personal line business only. Only data for the voluntary market will be reported.

b) Methods of Compiling Annual Experience

Experience for each class or type of business required will be provided for the applicable methods described in this subsection (b). The insurer or agent will report data for calendar year and calendar year premium-only data evaluated as of December 31. For calendar-accident and policy year data, the evaluation date will be March 31. The statistical period(s) for reporting each type or class of business are defined as:

1) Calendar year
The calendar year data represents a comparison of losses with exposures and premiums in the same 12 month period. For the calendar year experience method, the insurer or agent will report evaluations as of December 31. Data will be reported for the current year minus one year. (For example, the 1996 report will contain data for 1995, evaluated as of December 31, 1995, the latest complete, calendar year experience year.)

2) Calendar-accident year
The accident year data represents a comparison of losses on claims occurring in a given 12 month period with the exposures and premiums in that same period. The insurer or agent will report data based upon evaluations as of March 31 of the year following the period close. Data will be reported for the current year minus two years. The insurer will report data separately, for the latest five year experience years. (For example, the 1996 report will contain data reported separately by year for the years 1990 through 1994, evaluated as of March 31, 1995, with 1994 the latest complete, calendar-accident year experience year.)

3) Policy year

The policy year data represents a comparison of losses occurring under policies having inception dates in a given calendar year with the exposures and premiums on such policies. The insurer or agent will report evaluations as of March 31 of the year following the close of the period. Data will be reported for the

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current year minus three years. The insurer will report data separately, for the latest five year experience years. (For example, the 1996 report will contain data reported separately by year for the years 1989 through 1993, evaluated as of March 31, 1995 with 1993, the latest, complete policy-year experience year.)

4) Calendar year premium-only

For all classes that are reported on a calendar-accident or policy year basis, insurers will submit an additional and separate record for calendar year experience which includes written premium, earned premium, and written exposures. The data will be reported for the most recent calendar year and will be evaluated as of December 31. (For example, for the November 1997 report, insurers will report premiums and exposures for their 1996 calendar year experience for each class in addition to their calendar-accident and policy year data.) Insurers need not submit additional records for any class that is reported using the calendar year method of compiling annual experience.

c) Experience Method By Line

1) For those lines where calendar year experience is used, including private passenger automobile physical damage; homeowners (optional); earthquake-REQ (optional); residential fire (optional); and excess insurance (optional), each insurer will report the premium and loss data for the latest experience year. (For example, 1995 data for reporting year 1996.)

2) For those lines where calendar-accident and policy year experience is used, insurers will report the latest five experience years for each line using the appropriate calendar-accident and policy year experience methods. (For example, in the 1996 report insurers will submit data for the years 1990 through 1994, for lines using the calendar-accident experience method and 1989 through 1993 for the policy year experience method.) Because there are several insurers that will not be able to comply with the five year requirement with the initial submittal, the Department will allow the five year requirement to be phased in over the next three years. One additional year will be required each year until the five year requirement is satisfied. Insurers, however, should report as many of the five years as possible and are minimally required to report the latest experience year for both calendar-accident and policy years with the 1997 submittal. (For example, in 1997, a minimum of two years of data will be required. In the year 2000, and thereafter, five years of data will be required.)

3) Reports will be filed on an annual basis for the required lines using the applicable experience methods. The applicable experience method for each line is defined as follows:

Line or Type of Coverage

Experience Methods

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Homeowners Multiple Peril(1)

Calendar year(2) or
calendar-accident year and
calendar year premium-only

Medical Malpractice

Policy year and calendar
year premium-only

Earthquake (REQ)

Calendar year(2) or
calendar-accident year
and calendar year
premium-only

Other Liability

Policy year and calendar
year premium-only

PPA Liability

Calendar-accident year and
calendar year premium-only

PPA Physical Damage

Calendar year(2)

Commercial Automobile Liability

Calendar-accident year and
calendar year premium-only

Residential Fire

Calendar year(2) or
calendar-accident year
and calendar year premium-
only

Business Owners Packages

Calendar-accident year and
calendar year premium-only

Excess Insurance

Calendar year(2), calendar-
accident year, or policy
year and calendar year
premium-only

(1) Includes earthquake endorsement to homeowners or residential fire (HEQ and 323 classification).

(2) A separate calendar year premium-only record is not required for classes that are already reported on calendar year basis.

4) In reporting the required data, please note the following clarifications:

A) The "Other Liability" line includes classes from liquor liability, day care centers, and lawyers professional liability. Products liability is excluded.

B) Residential fire excludes allied lines.

C) Data from Beach Plans and Assigned Risk Plans will not be

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reported. (The Illinois FAIR Plan Association will submit Illinois-only data for homeowners.) Insurers will not report any FAIR Plan data.

d) Preparation and Completion of Statistical Reports

1) Insurers may report statistics directly, or through an agent. Agents reporting data for more than one insurer will report each insurer's data on separate records.

2) Insurers will report their data within the required time frame using the codes and record formats provided in Sections 4203.50 through 4203.110.

3) Prior to submission of data, the insurer shall edit the data being reported. The Department has available and will provide an edit program to each insurer upon their request.

4) Submittal information must contain the following:

A) A cover letter, signed by the Illinois Cost Containment contact person, must accompany each filing. The cover letter should explain any special situation(s) regarding the data submission that needs clarification. Please note that for internal control, companies having no cost containment data to file must send a letter to the Department on each filing date, including the information listed below, and must state that they have no data to file. Agents must include in the cover letter a list of all companies for whom data is being submitted. This letter must contain the following information:

- i) Name of company or agent,
- ii) FEIN (not applicable to agents),
- iii) NAIC group number (not applicable to agents),
- iv) Filing date (e.g., 11/25/96),
- v) Address, City, State and Zip code,
- vi) Contact person,
- vii) Phone number of contact person,
- viii) Type of submittal (Initial-Full, Initial-Partial, Refile, or Amended),
- ix) Number of records in this submittal.

B) Data submitted pursuant to this Part must be reported on 3.5" IBM formatted diskettes unless otherwise authorized. The data on each diskette must be in ASCII, comma-delimited format. The Department will accept data that has been compressed with PKWARE's PKZIP product. The diskettes must be labeled with the title Illinois Cost Containment Data. The label must also contain the following information:

- i) Name of company or agent,
- ii) FEIN (not applicable to agent),
- iii) NAIC group number (not applicable to agent),
- iv) Filing date,
- v) Number of diskette(s) in this submittal,

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- vi) Type of submission (Initial-Full, Initial-Partial, Refile, or Amended),
vii) Number of records in this submittal.

The following terms apply to the type of submission entry on the diskette label and the cover letter. An insurer's first data submittal to the Department for a reporting period is considered the initial submittal. If the insurer considers it a full submission, it will be identified as "Initial-Full." If the insurer does not consider it a full submittal, it should be identified as "Initial-Partial." The "Initial-Partial" identification will be used by the insurer in situations where it submits part of the data and an agent submits the remainder. Since agents most likely will never report an entire set of data for all its companies, the agents will code Field 2 with a 1, 2, 3, or 4 and will always identify their data as an Initial-Partial submittal. Thus, with this coding scheme, the only Initial-Full submittals will be submitted by insurers where Field 2 must be coded 6. For Initial-Partial submittals, Field 2 for all records must be coded 1, 2, 3, or 4 by agents and 5 by insurers. Resubmittals resulting from the receipt of a letter from the Department regarding edit errors are considered a Refile. A resubmittal of data initiated by the insurer or agent to correct data previously submitted, not the result of a Departmental edit letter, is considered an amended filing.

Example: Parent companies or multiple companies in the same group need not file a separate diskette for each company in that group; however, they must report data for each of the companies in their group separately and ensure that the FEIN for each company is accurate for each record.

- D) Insurers need not submit a record (for either Illinois only or multi-state) for any line, class, or endorsement if written premiums, earned premiums, and paid and outstanding losses in the Illinois-only data are all zeroes.

e) Reporting of Exposures

A count of the number of written exposures will be reported separately for each line, type of business, or classification. Section 4203.50 provides the exposure basis for each. Note that for private passenger auto liability and commercial auto liability, the exposure count will apply only to the bodily injury component. For private passenger auto physical damage, the exposure count will apply only to the comprehensive component. For certain coverages (e.g., earthquake), the exposure count will be blank. These situations will be identified in the coding instructions in Section 4203.70 through 4203.100.

f) Reporting of Premiums

The premium reported will be the premium charged for the policies within each classification. Excess insurance premiums will be

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reported separately as addressed in subsection (r) below. Premiums will be reported on both a written and earned basis.

- g) Reporting of Losses
Separate fields are provided for both paid losses and outstanding losses. Losses will be reported net as to third party recoveries (under salvage and subrogation). Paid losses are defined as all sums paid to claimants or policyholders in direct settlement of losses covered by the policies. Outstanding losses are defined as the amounts of loss reserves established for paying claims for the reporting period that have not been paid as of the evaluation date. Losses covered by an excess policy will be reported separately as addressed in subsection (s) below.
- h) Reporting of Allocated Loss Adjustment Expenses
Allocated loss adjustment expense (ALAE) includes all expenses of the company which can be identified with and hence allocated to a particular claim. Insurers will report the amount of paid and outstanding ALAE for the private passenger auto liability, medical malpractice, other liability and commercial auto liability lines. Also, ALAE will be collected for business owners insurance and excess insurance. In those situations where an insurer cannot separate indemnity and ALAE, the insurer will submit a separate record; however, the insurer will enter the combined loss and ALAE total in the paid loss or outstanding loss field(s) and will identify this option by coding the corresponding paid ALAE or outstanding ALAE field(s) with the word 'combined'.
- i) Reporting Paid Claims Count
Insurers will report the count of their paid claims. A claim closed without a loss payment is not to be reported. A claim involving only allocated loss adjustment expense is not to be reported with a claim count. A claim count is to be reported only for those cases where a loss payment has been made or a loss reserve has been established. A paid claim is defined as a claim for which a payment has been made. In cases where a claim is partially paid with an associated case reserve still maintained, insurers have the option to report the claim count as either paid or outstanding. A case involving loss payments or loss reserves under more than one classification will have a claim count under each classification.
- j) Reporting Outstanding Claims Count
Insurers will report the count of outstanding claims. An outstanding claim is defined as a claim for which a case loss reserve exists as of the evaluation date. In cases where a claim is partially paid with an associated case reserve still maintained, insurers have the option to report the claim count as either paid or outstanding. A case involving loss payments or loss reserves under more than one classification will have a claim count under each classification.
- k) Run-off Business
Companies with no written or earned premiums, but with paid or outstanding losses in a line, class, subclass, or endorsement for

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Illinois-only data must report data for that line, class, subclass, or endorsement for both Illinois-only and multi-state. If the aforementioned situation occurs in only the multi-state data, the insurer will not be required to report that data.

- 1) Three Year Prepaid Policies
Premiums for three year prepaid policies shall be reported as three separate annual policies.
- m) Other Prepaid Policies
The procedure, outlined in subsection (1) above, applies to other policies not having a one year term with proper recognition of the policy term and using a pro rata allocation formula. In all cases policy periods shall be annual or less.
- n) Treatment of Installment Payments
Premiums for policies written on an installment basis will be reported as though they were prepaid policies.
- o) Installment Charge Premium
Additional premium resulting from the application of installment charges shall be reported as premium.
- p) Divisible Package Policies
Insurers will report premiums separately by each classification used in developing the total package premium.
- q) Rounding Rule
Data will be reported in whole numbers. All decimals will be rounded to the nearest integer. (Decimals less than .5 will be rounded down to the nearest whole number while decimals .5 and above will be rounded up to the nearest whole number.)
- r) Reporting Excess Insurance Premiums
Written and earned premiums for excess insurance will be entered in the appropriate fields for this type class. (See Section 4203.70). Premiums for excess insurance are defined as that premium charged for coverage in excess of the primary policy limits added by a different policy (e.g., umbrella policy or through an endorsement to the policy.)
- s) Reporting Excess Insurance Losses
Paid losses and outstanding losses for excess insurance will be entered in the appropriate fields for this class. (See Section 4203.70). An excess loss is defined as a loss resulting in an incurred cost to the insurer in excess of the primary policy limits and covered by a different policy or an endorsement to the policy. Examples include umbrella policies and excess limits endorsements.

Section 4203.40 General Submission Guidelines

- a) Guidelines for Data Submission and Collection

There will be only one filing date each year. Data must be submitted no later than November 30 of each year. The submission will be mailed to the Illinois Department of Insurance, Cost Containment Section, 320 W. Washington, Springfield, Illinois 62767-0001. Insurers are

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responsible for developing or obtaining any software required to convert and/or translate their internal file structures and formats to those prescribed by this Part.

- b) Penalties
Failure to comply with any of these specifications may subject the insurer to those penalties described in Section 1204(E) of the Illinois Insurance Code [215 ILCS 5/1204(E)].
- c) Leading Zeros
Since fields are not fixed-length, leading zeros and spaces should be omitted.
- d) Negative Numbers
Negative numbers will be submitted as a dash before the number (without a space between the negative and number). For example a negative one hundred dollar premium would be coded -100.
Data Reported by Illinois and Multi-State
- e) All required data will be reported in the aggregate for:

- 1) Illinois only, and
- 2) multi-state including Illinois.
Note: To meet the calendar year premium-only requirement, insurers are to report their personal lines (i.e., homeowner, PPA liability, PPA physical damage and residential fire) data as Illinois-only by zip code and their non-personal lines data as Illinois-only. No multi-state records are necessary for reporting data under the calendar year premium-only method of compilation. Further, data that are already reported using the calendar year method do not need to be reported using the calendar year premium-only method. (For example, PPA physical damage.) For Illinois-only data that does not fall within the range of Illinois zip codes (60001 through 62999), the code 99999 will be used.

f) Required Data Elements

Data shall be reported for the following nine insurance elements:

- 1) Number of written exposures,
- 2) Amount of direct written premiums,
- 3) Amount of direct earned premiums,
- 4) Amount of paid losses,
- 5) Amount of outstanding losses,
- 6) Amount of paid allocated loss adjustment expenses,
- 7) Amount of outstanding allocated loss adjustment expenses,
- 8) Number of paid claims,
- 9) Number of outstanding claims.

Note: For the calendar year premium-only method of compiling annual experience, only the number of written exposures, amount of direct written premiums, and amount of direct earned premiums are to be reported.

- g) Required Lines or Coverages of Insurance

The Department requires that data be submitted for classes within the following ten lines or coverage types of insurance.

- 1) Other Liability,

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- 2) Medical Malpractice,
 3) Commercial Automobile Liability (excludes no-fault),
 4) Private Passenger Automobile Liability (excludes no-fault),
 5) Homeowners Multiple Peril,
 6) Business Owners Packages,
 7) Private Passenger Auto Physical Damage,
 8) Earthquake,
 9) Excess Insurance,
 10) Residential Fire.

h) Reported By Zip Code

In addition to records for multi-state data, Illinois-only personal lines data (homeowners, private passenger auto, and residential fire) will be reported by zip code by line by class. There will be one record for each zip code for each class in the homeowner, private passenger auto liability, private passenger physical damage, and residential fire lines. If an insurer reports a class on a calendar year basis by zip code, the insurer should not also report data by zip code on a calendar year premium-only basis. (For example, PPA physical damage.)

i) Reported By Form Type

There will be a separate record for each line, class, or type of coverage for each form type used in writing a policy. Note that an insurer may use any one or more of the form types within the same line or class of insurance. When multiple form types are used the insurer must generate a record for each of those form types.

Section 4203.50 Required Data Types (Lines, Classes, and Coverages)

Within the required lines of insurance identified in subsection 4203.40(g) above, the Department requires data for specified lines, classes or coverages. There are ten categories contained in the table below which summarize the data that must be filed in Illinois pursuant to this Part.

OTHER LIABILITY

<u>CLASS OR DATA TYPE</u>	<u>CLASS CODE</u>	<u>EXPOSURE BASE</u>
DAY CARE CENTERS		
Day care center liability - day nurseries	82115	square feet
Day care center liability - day care centers	41714	person-months
Day care center liability individual insurer program not rated using one of the exposure base(s) noted above.(1)	81714	NA

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NOTICE OF ADOPTED RULE

CLASS OR DATA TYPECLASS CODEEXPOSURE BASELAWYERS PROFESSIONAL LIABILITY

Lawyers professional liability - lawyers	81400	person-months
Lawyers professional liability - employed law clerks, investigators, abstractors, and paralegals	81420	person-months
Lawyer's professional liability individual insurance program not rated using one of the exposure base(s) noted above.(2)	81401	NA

LIQUOR LIABILITY

Clubs	70412	receipts
Package stores, and other retail establishments	59211	receipts
Manufacturers, wholesalers, and distributors	50911	receipts
Restaurants, taverns, hotels, motels incl: package sales	58161	receipts

Temporary licenses	58168	no exposure
Owners or lessors of premises used by others	58169	no exposure
Liquor liability - not otherwise classified	11111	no exposure
Liquor liability individual insurer programs not rated using one of the exposure base(s) noted above.(1)	81111	NA

Table:

- (1) Individual insurer programs that are not rated using one of the exposure base(s) above with this specified class definition will be reported as classification codes 81111 and 81714, respectively.
 (2) Individual insurer programs that are not rated using one of the exposure base(s) noted above with this specified class definition will be reported as classification code 81401.

MEDICAL MALPRACTICE

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NOTICE OF ADOPTED RULE

<u>CLASS OR DATA TYPE</u>	<u>CLASS CODE MD(1)</u>	<u>DO(2)</u>	<u>EXPOSURE BASE</u>
CARDIAC SURGERY			
Surgery - cardiac	80141	NA	person-months
Surgery - cardiovascular disease	80150	84150	person-months
CARDIAC - OTHER			
Cardiovascular disease - minor surgery	80281	84281	person-months
Cardiovascular disease - no surgery	80255	84255	person-months
CRITICAL CARE MEDICINE			
Intensive care medicine. Applies to any general practitioner or specialist employed in intensive care hospital unit	80283	84283	person-months
DENTISTS			
Oral surgery with anesthesia	80210	NA	person-months
Oral surgery without anesthesia	80211	NA	person-months
EMERGENCY ROOM SURGERY			
Emergency medicine - including major surgery	80157	84157	person-months
EMERGENCY ROOM - OTHER			
Emergency room - no major surgery	80102	84102	person-months
GENERAL PRACTITIONER (FAMILY PRACTICE)			
Family physician or general practitioner -			

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NOTICE OF ADOPTED RULE

<u>CLASS OR DATA TYPE</u>	<u>CLASS CODE MD(1)</u>	<u>DO(2)</u>	<u>EXPOSURE BASE</u>
no surgery	80420	84420	person-months
Family physician or general practitioner - minor surgery	80421	84421	person-months
Surgery - general practice or family practice	80117	NA	person-months
GENERAL SURGERY			
Surgery - general - not otherwise classified. Does not apply to family or general practitioner or to any specialist who occasionally performs major surgery	80143	84143	person-months
NEUROSURGERY			
Surgery - neurology - including child	80152	84152	person-months
Neurology - including child - minor surgery	80288	84288	person-months
OBSTETRICS/GYNECOLOGY - SURGERY			
Surgery - gynecology	80167	84167	person-months
Surgery - obstetrics	80168	NA	person-months
Surgery - obstetrics - gynecology	80153	84153	person-months
OBSTETRICS/GYNECOLOGY - OTHER			
Gynecology - minor surgery	80277	84277	person-months
Gynecology - no surgery	80244	84244	person-months
ORTHOPEDIC SURGERY			

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NOTICE OF ADOPTED RULE

CLASS OR DATA TYPE	CLASS CODE MD(1)	DO(2)	EXPOSURE BASE
--------------------	------------------	-------	---------------

Surgery - orthopedic

80154

84154

person-months

PHYSICIANS, SURGEONS, AND DENTISTS

Physicians, Surgeons, and Dentists not otherwise classified.

94999

94999

NA

Physicians, Surgeons, and Dentists individual programs not rated using one of the exposure base(s) noted above.

90430

NA

NA

PLASTIC SURGERY

Surgery - plastic - not otherwise classified

80156

84156

person-months

Surgery - plastic - otorhinolaryngology

80155

84155

person-months

THORACIC SURGERY

Surgery - thoracic

80144

84144

person-months

VASCULAR SURGERY

Surgery - vascular

80146

NA

person-months

Table:

- (1) MD = Medical Doctor
(2) DO = Doctor of Osteopathy

COMMERCIAL AUTO LIABILITY

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

Fleet and non-fleet combined trucks, tractors, and trailers - zone rated

1A
1B
1C

car-months (BI) receipts number of miles

Fleet and non-fleet combined trucks, tractors, and trailers - all other, regardless of miles

2A

car-months (BI)

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CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

Fleet and non-fleet taxicabs, and public livery, regardless of mileage, including limousines

3A
3B
3C

car-months (BI) receipts number of miles

PRIVATE PASSENGER AUTO LIABILITY

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

PPA Liability

NA

car-months (BI)

HOMEOWNER MULTI-PERIL

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

HO-1

HO-1

house-months

HO-2

HO-2

house-months

HO-3

HO-3

house-months

HO-4

HO-4

house-months

HO-5

HO-5

house-months

HO-6

HO-6

house-months

HO-8

HO-8

house-months

Mobile Homes

Mobile

house-months

HOMEOWNER ENDORSEMENTS

Home day care endorsement

323

NA

Earthquake endorsement

HEQ

NA

BUSINESS OWNERS PACKAGE

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

Business Owners Package (B.O.P)

77777

NA

PRIVATE PASSENGER AUTO PHYSICAL DAMAGE

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

PPA Physical Damage

NA

car-months (comp)

EARTHQUAKE (REQ ONLY)

CLASS OR DATA TYPE	CLASS CODE	EXPOSURE BASE
--------------------	------------	---------------

Residential Earthquake

REQ

NA

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SPECIAL CLASSIFICATIONS APPLICABLE TO EXCESS INSURANCE

<u>CLASS OR DATA TYPE</u>	<u>CLASS CODE</u>	<u>EXPOSURE BASE</u>
Commercial Automobile	9772	NA
Personal Umbrella	99930	NA
Commercial Umbrella	99935	NA
Excess Insurance - All Other	88888	NA

RESIDENTIAL FIRE

<u>CLASS OR DATA TYPE</u>	<u>CLASS CODE</u>	<u>EXPOSURE BASE</u>
Building and Contents - owner-occupied, 1-4 units	9A	house-months
Contents only	9B	house-months
Building only - non-owner-occupied	9C	house-months

Section 4203.60 Line Item Matrix For Cost Containment Reporting

a) The following matrices will assist the insurer in providing data which meet the requirements of this Part. The row headings represent the geographical reporting methods. The column headings represent the lines and types of insurance that are to be reported. This matrix describes the geographic data requirement for each line.

LINE ITEM MATRIX FOR REPORTING COST CONTAINMENT DATA

<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>Homeowners</u>
Illinois-only	yes	yes	yes	no
IL-only by zip code	no	no	yes	yes
Multi-state	yes	yes	yes	yes(*)
Calendar year premium-only (IL)	yes	yes	yes	no

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<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
Calendar year premium-only by zip code (IL)	no	no	no	yes	yes

(*) Excludes HEQ data. Data for earthquake written as an endorsement to homeowners or residential fire policies are not required on a multi-state basis.

	<u>PPA Physical Damage</u>	<u>Earthquake (REQ)</u>	<u>Excess Ins</u>	<u>Residential Fire</u>
Illinois-only	yes	yes	yes	yes
IL-only by zip code	no	no	no	yes
Multi-state	yes	no	yes	yes
Calendar year premium-only (IL)	yes	yes	yes	no

Calendar year premium-only by zip code (IL)

no no(**) no no yes

(**) PPA physical damage data is reported as calendar year thus no additional calendar year records are requested for this line.

b) The following matrix identifies the required fields for each line of insurance.

OTHER LIABILITY, MEDICAL MALPRACTICE, COMMERCIAL AUTO LIABILITY, PPA LIABILITY, AND HOMEOWNERS

<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
FEIN	yes	yes	yes	yes	yes
Filing Method	yes	yes	yes	yes	yes

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<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
Line of Business	yes	yes	yes	yes	yes
Classification Code	yes	yes	yes	NA	yes
State Identifier	yes	yes	yes	yes	yes
Zip Code	NA	NA	NA	yes	yes
Experience Method	yes	yes	yes	yes	yes
Statistical Data Year	yes	yes	yes	yes	yes
Form Type	yes	yes	yes	NA	NA
Amount of Written Prem.	yes	yes	yes	NA	yes
Amount of Earned Prem.	yes	yes	yes	NA	yes
Amt. of Paid Losses	yes	yes	yes	NA	yes
Amt. of Outstanding Losses	yes	yes	yes	NA	yes
Amt. of Paid ALAE	yes	yes	yes	NA	NA
Amt. of Outstanding ALAE	yes	yes	yes	NA	NA
# of Written Exposures	yes	yes	yes	NA	yes
# of Paid Claims	yes	yes	yes	NA	yes
# of Outstanding Claims	yes	yes	yes	NA	yes
Amt. of PPA Liab. BI Written Prem.				yes	
Amt. of PPA Liab. BI Earned Prem.				yes	

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<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
Amt. of PPA Liab. BI Paid Losses				yes	
Amt. of PPA Liab. BI OS Losses				yes	
Amt. of PPA Liab. BI Paid ALAE				yes	
Amt. of PPA Liab. BI OS ALAE				yes	
# PPA Liab. BI Written Exposures				yes	
# of PPA Liab. BI Paid Claims				yes	
# of PPA Liab. BI OS Claims				yes	
Amt. of PPA Liab Prop. Dam. Written Prem.				yes	
Amt. of PPA Liab. Prop. Dam. Earned Prem				yes	
Amt. of PPA Liab. Prop. Dam. Paid Losses				yes	
Amt. of PPA Liab. Prop. Dam. OS Losses				yes	
Amt. of PPA Liab. Prop. Dam. Paid ALAE				yes	
Amt. of PPA Liab. Prop. Dam. OS ALAE				yes	
# of PPA Liab. Prop. Dam. Paid Claims				yes	
# of PPA Liab. Prop. Dam. OS Claims				yes	

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<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
Amt. of PPA Liab. UM/UM Written Prem.				yes	
Amt. of PPA Liab. UM/UM Earned Prem.				yes	
Amt. of PPA Liab. UM/UM Paid Losses				yes	
Amt. of PPA Liab. UM/UM OS Losses				yes	
Amt. of PPA Liab. UM/UM Paid ALAE				yes	
Amt. of PPA Liab. UM/UM OS ALAE				yes	
# of PPA Liab. UM/UM Paid Claims				yes	
# of PPA Liab. UM/UM OS Claims				yes	
Amt. of PPA Liab. Med. Payments Written Prem.				yes	
Amt. of PPA Liab. Med. Payments Earned Prem.				yes	
Amt. of PPA Liab. Med. Payments Paid Losses				yes	
Amt. of PPA Liab. Med. Payments OS Losses				yes	
Amt. of PPA Liab. Med. Payments Paid ALAE				yes	
Amt. of PPA Liab. Med. Payments OS ALAE				yes	
# of PPA Liab. Med. Payments Paid Claims				yes	

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<u>Field</u>	<u>Other Liab.</u>	<u>Med. Mal.</u>	<u>Comm. Auto Liab.</u>	<u>PPA Liab.</u>	<u>Homeowners</u>
# of PPA Liab. Med. Payments Outstanding Claims				yes	
Amt. of PPA Liab. Other Written Prem				yes	
Amt. of PPA Liab. Other Earned Prem				yes	
Amt. of PPA Liab. Other Paid Losses				yes	
Amt. of PPA Liab. Other OS Losses				yes	
Amt. of PPA Liab. Other Paid ALAE				yes	
Amt. of PPA Liab. Other Outstanding ALAE				yes	
# of PPA Liab. Other Paid Claims				yes	
# of PPA Liab. Other OS Claims				yes	
# of PPA Liab. All SL Exposures				yes(1)	
Amt. of PPA Liab. All SL Written Prem.				yes(1)	
Amt. of PPA Liab. All SL Earned Prem.				yes(1)	
Amt. of Paid Losses BI-SL				yes(1)	
Amt. of OS Losses BI-SL				yes(1)	
Amt. of Paid ALAE BI-SL				yes(1)	

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Field	Other Liab.	Med. Mal.	Comm. Auto Liab.	PPA Liab.	Homeowners
Amt. of OS ALAE BI-SL				yes(1)	
# of Paid Claims BI-SL				yes(1)	
# of OS Claims BI-SL				yes(1)	
Amt. of Paid Losses PD-SL				yes(1)	
Amt. of OS Losses PD-SL				yes(1)	
Amt. of Paid ALAE PD-SL				yes(1)	
Amt. of OS ALAE PD-SL				yes(1)	
# of Paid Claims PD-SL				yes(1)	
# of OS Claims PD-SL				yes(1)	

Table:

(1) Applicable only to data for single limit policies.

**BUSINESS OWNERS POLICY, PPA PHYSICAL DAMAGE, EARTHQUAKE, EXCESS
INSURANCE,
AND RESIDENTIAL FIRE**

Field	BOP	PPA Physical Damage	Earthquake	Excess Ins	Res Fire
FEIN	yes	yes	yes	yes	yes
Filing Method	yes	yes	yes	yes	yes
Line of Business	yes	yes	yes	yes	yes
Classification					

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Field	BOP	PPA Physical Damage	Earthquake	Excess Ins	Res Fire
Code	yes	NA	yes	yes	yes
State Identifier	yes	yes	yes	yes	yes
Zip Code	NA	yes	NA	NA	yes
Experience Method	yes	yes	yes	yes	yes
Stat. Data Year	yes	yes	yes	yes	yes
Form Type	yes	NA	NA	yes	NA
Amount of Written Premium	yes	NA	yes	yes	yes
Amount of Earned Premium	yes	NA	yes	yes	yes
Amount of Paid Losses	yes	NA	yes	yes	yes
Amt. of Outstanding Losses	yes	NA	yes	yes	yes
Amt. of Paid ALAE	yes	NA	NA	yes	NA
Amt. of Outstanding ALAE	yes	NA	yes	yes	NA
# Exposures	NA	NA	NA	NA	yes
# of Paid Claims	yes	NA	yes	yes	yes
# of Outstanding Claims	yes	NA	yes	yes	yes
Amt. of PPA PD Comp. Written Prem.		yes			
Amt. of PPA PD Comp. Earned Prem.		yes			
Amt. of PPA PD Comp. Paid Losses		yes			

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Field	BOP	PPA Physical Damage		Earthquake	Excess Ins		Res Fire
Amt. of PPA PD Comp. OS Losses		yes					
# of PPA PD Comp. Exposures		yes					
# of PPA PD Comp. Paid Claims		yes					
# of PPA PD Comp. OS Claims		yes					
Amt. of PPA PD Collision Written Prem.		yes					
Amt. of PPA PD Collision Earned Prem.		yes					
Amt. of PPA PD Collision Paid Losses		yes					
Amt. of PPA PD Collision OS Losses		yes					
# of PPA PD Collision Paid Claims		yes					
# of PPA PD Collision OS Claims		yes					
Amt. of PPA PD Other Written Prem.		yes					
# of PPA PD Other Earned Prem.		yes					
Amt. of PPA PD Other Paid Losses		yes					
Amt. of PPA PD Other OS Losses		yes					
# of PPA PD Other Paid Claims		yes					

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Field	BOP	PPA Physical Damage		Earthquake	Excess Ins		Res Fire
# of PPA PD Other OS Claims		yes					

Section 4203.70 Coding Conventions For Other Liability, Medical Malpractice, Earthquake, Commercial Auto Liability, Business Owners Packages, and Excess Insurance

This Section provides instructions for coding the fields for other liability, medical malpractice, earthquake, commercial auto liability, Business Owners Packages (BOP), and excess insurance records. For the calendar year premium-only requirement only Fields 1 through 10 and 15 (see Section 4203.110) are to be reported for the classes in other liability, medical malpractice, earthquake, commercial automobile liability, Business Owners Policy, and excess insurance. Insurers writing earthquake and excess insurance on calendar-accident year basis must also submit calendar year premium-only records.

- Data for commercial auto liability and Business Owners Packages (BOP) are to be reported on a calendar-accident year basis. Data for medical malpractice and other liability are to be reported on a policy year basis. Data for earthquake (REQ) are to be reported using either the calendar year or the calendar-accident year method. Excess insurance data are to be reported either on a calendar year, calendar-accident year, or policy year basis.
- In the medical malpractice, other liability, commercial auto liability, BOP, and excess insurance the insurer will submit one record for each class for multi-state data and one record for each class for Illinois-only data. For earthquake (REQ), only Illinois-only data are required.
- For all classes reported under the calendar-accident or policy year methods of compiling annual experience, premium and exposure data are to be reported as calendar year premium-only for non-personal line classes or by calendar year premium-only by zip code for homeowner and residential fire, using the instructions for reporting calendar year premium-only data.
- Insurers should note that earthquake data refers to stand alone earthquake policies (non-commercial) (REQ) and should be reported separately from the earthquake data for homeowners and residential fire, addressed in Section 4203.80. If an insurer is unable to make this distinction, it will report all earthquake data under the stand alone earthquake class REQ. Also, for earthquake data, the form type, # of written exposures, and amount of paid ALAE, amount of outstanding ALAE fields for earthquake should be blank.
- The following provides a detailed description of each data field:
 - FEIN - This alpha-numeric field reflects the Federal Employer

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Identification Number assigned to the insurer. (Do not include the hyphen; for example 55555555.)

- 2) Filing Method - This one-character alpha-numeric field identifies the source of the data as either an agent or an insurance company. Possible codes are:

- 1 = American Association of Insurance Services (AAIS)
- 2 = Insurance Services Office, Inc. (ISO)
- 3 = National Association of Independent Insurers (NAII)
- 4 = National Independent Statistical Service (NISS)
- 5 = Company Direct - Partial
- 6 = Company Direct - 100 Percent
- 7 = Other

- 3) Line of Business - This alpha-numeric field identifies the line or general classification to which the data belongs. Possible codes are:

- 1 = Other Liability
- 2 = Medical Malpractice
- 3 = Commercial Auto Liability
- 6 = BOP (Business Owners Package)
- 8 = Earthquake
- 9 = Excess Insurance

- 4) State Identifier - This field identifies the geographical source of the data. Possible codes are:

- 12 = Illinois only
- MS = Multi-state

Note: MS does not apply to earthquake (REQ).

- 5) Experience Method - This one-character alphanumeric field designates the experience method for the statistical data year reported. Possible codes are:

- C = Calendar year
- A = Calendar-accident year
- P = Policy year

- 6) Statistical Data Year - This four-character alpha-numeric field reflects the experience year. (For example, for the November 1996 annual data filing, the statistical data year will be coded 1995 for lines that use the calendar year experience method. For lines using the calendar-accident and policy year experience methods, the statistical data year field will be coded for one of the years 1990 - 1994 and for one of the years 1989 - 1993, respectively).

- 7) Classification Code - This alpha-numeric field identifies the class of insurance being reported in the line. The insurer should report one record for Illinois-only data and one record for multi-state data for the medical malpractice, other liability, commercial auto liability, Business Owners Package (BOP), and excess insurance. For earthquake data, Illinois-only data are required but multi-state data are not required.

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Possible codes for Field 7 by line of business or type of coverage are:

Other Liability

Day Care

- * 82115 = day care center liability - day nurseries
- * 41714 = day care center liability - day care centers
- * 81714 = day care center liability individual insurance not rated using one of the exposure base(s) noted above.

Lawyer

- * 81400 = lawyer's professional liability - lawyers
- * 81420 = lawyer's professional liability - employed law clerks, investigators, abstractors, and paralegals
- * 81401 = lawyer's professional liability individual insurance not rated using one of the exposure base(s) noted above.

Liquor

- * 70412 = clubs
- * 59211 = package stores and other retail establishments
- * 50911 = manufacturers, wholesalers, and distributors
- * 58161 = restaurants, taverns, hotels, motels including package sales
- * 58168 = temporary licenses
- * 58169 = owners or lessors of premises used by others
- * 11111 = liquor liability - not otherwise classified
- * 81111 = liquor liability individual insurer not rated using one of the exposure base(s) noted above.

Medical Malpractice

Cardiac - Other

- * 80281 = cardiovascular disease - minor surgery by MD
- * 84281 = cardiovascular disease - minor surgery by DO
- * 80255 = cardiovascular disease - no surgery by MD
- * 84255 = cardiovascular disease - no surgery by DO

Cardiac Surgery

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- * 80141 = surgery - cardiac by MD
- * 80150 = surgery - cardiovascular disease by MD

Medical Malpractice

- * 84150 = surgery - cardiovascular disease by DO

Critical Care Medicine

- * 80283 = intensive care medicine - applies to any general practitioner or specialist employed in an intensive care hospital unit by MD
- * 84283 = intensive care medicine - applies to any general practitioner or specialist employed in an intensive hospital unit by DO

Dentists

- * 80210 = oral surgery with anesthesia
- * 80211 = oral surgery without anesthesia

Emergency Room - Other

- * 80102 = emergency room - no major surgery by MD
- * 84102 = emergency room - no major surgery by DO

Emergency Room - Surgery

- * 84157 = emergency medicine - including major surgery by MD
- * 84158 = emergency medicine - including major surgery by DO

General Surgery

- * 80143 = surgery general - not otherwise classified. Does not apply to family or general practitioner or to any specialist who occasionally performs major surgery by MD
- * 84143 = surgery general - not otherwise classified. Does not apply to family or general practitioner or to any specialist who occasionally performs major surgery by DO

Neurology

- * 80152 = surgery - neurology - including child by MD
- * 84152 = surgery - neurology - including child by DO

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- * 80288 = neurology - including child - minor surgery by MD
- * 84288 = neurology - including child - minor surgery by DO

Obstetrics/Gynecology - Other

- * 80277 = gynecology - minor surgery by MD
- * 84277 = gynecology - minor surgery by DO
- * 80244 = gynecology - no surgery by MD
- * 84244 = gynecology - no surgery by DO

Obstetrics/Gynecology - Surgery

- * 80167 = surgery - gynecology by MD
- * 84167 = surgery - gynecology by DO
- * 80168 = surgery - obstetrics by MD
- * 80153 = surgery - obstetrics-gynecology by MD
- * 84153 = surgery - obstetrics-gynecology by DO

Orthopedic - Surgery

- * 80154 = surgery - orthopedic by MD
- * 84154 = surgery - orthopedic by DO

Physicians and Surgeons

- * 80420 = family physician or general practitioners - no surgery by MD
- * 84420 = family physician or general practitioners - no surgery by DO
- * 80421 = family physician or general practitioner minor surgery by MD
- * 84421 = family physician or general practitioner minor surgery by DO
- * 80117 = surgery - general practice or family practice by MD

Physicians, Surgeons, and Dentists

- * 94999 = physicians, surgeons, and dentists classes not specifically listed
- * 90430 = physicians, surgeons, and dentists individual insurer programs not rated using one of the exposure base(s) noted above.

Plastic Surgery

- * 80156 = surgery - plastic - not otherwise classified by MD
- * 84156 = surgery - plastic - not otherwise classified by DO

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- * 80155 = surgery - plastic - otorhinolaryngology by MD
- * 84155 = surgery - plastic - otorhinolaryngology by DO

Vascular Surgery

- * 80146 = surgery - vascular by MD
- * 80144 = surgery - thoracic by MD
- * 84144 = surgery - thoracic by DO

Commercial Auto Liability

- * 1A = fleet and non-fleet combined trucks, tractors, and trailers - zone rated (car-months (BI))
- * 1B = fleet and non-fleet combined trucks, tractors, and trailers - zone rated (receipts)
- * 1C = fleet and non-fleet combined trucks, tractors, and trailers - zone rated (number of miles)
- * 2A = fleet and non-fleet combined trucks, tractors, and trailers - all other, regardless of miles (car-months (BI))
- * 3A = fleet and non-fleet taxicabs and public livery regardless of mileage, including limousines (car-months (BI))
- * 3B = fleet and non-fleet taxicabs and public livery regardless of mileage, including limousines (receipts)
- * 3C = fleet and non-fleet taxicabs and public livery regardless of mileage, including limousines (number of miles)

Business Owners Package

- * 77777 = business owners package (BOP)

Earthquake

- * REQ = residential earthquake (stand alone policies)

Excess Insurance

- * 9772 = commercial auto
- * 99930 = personal umbrella
- * 99935 = commercial umbrella
- * 88888 = excess insurance - all other

- 8) Form Type - This alpha-numeric field reflects the form type that was used in providing coverage. The insurer will report a separate record for each form type for each class, geographic

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location (Illinois-only or multi-state), and zip code, if required. Possible codes are:

C = claims-made

O = occurrence

T = claims-made tail coverage

For the earthquake data, the form type field should be left blank.

- 9) Amount of Written Premium - This field reflects the amount of total written premiums corresponding to each of the class codes.
- 10) Amount of Earned Premium - This field reflects the total amount of earned premiums corresponding to each of the class codes.
- 11) Amount of Paid Losses - This field reflects the amount of paid losses corresponding to each of the class codes. Please see subsection 4203.30(g) for the definition of paid losses. If the insurer is unable to separate paid losses from ALAE, the insurer will follow the instructions provided in subsection 4203.30(h).
- 12) Amount of Outstanding Losses - This field reflects the amount of outstanding losses corresponding to each of the class codes. Please see subsection 4203.30(g) for the definition of outstanding losses and subsection 4203.30(h) for special instructions for those situations where separating outstanding losses and outstanding ALAE are not possible.
- 13) Amount of Paid ALAE - This field reflects the amount of paid ALAE for each of the class codes. If an insurer is unable to separate paid ALAE from the paid losses, the combined paid losses and paid ALAE will be reported in the paid losses field for the line and the code "combined" will appear in the paid ALAE field. For the earthquake data, the amount of paid ALAE field should be blank.
- 14) Amount of Outstanding ALAE - This field reflects the amount of outstanding allocated loss adjustment expenses for each of the class codes. If an insurer is unable to separate outstanding ALAE from the outstanding losses, the combined outstanding losses and outstanding ALAE will be reported in the outstanding losses field for the line and the code "combined" will appear in the ALAE field. For the earthquake data, the amount of outstanding ALAE field should be blank.
- 15) Number of Written Exposures - This field reflects the count of written exposures for each of the class codes. The field "number of exposures" for BOP, earthquake, and excess insurance will be left blank.
- 16) Number of Paid Claims - This field reflects the paid claims count corresponding to each of the class codes. Please see subsection 4203.30(i) for the definition of paid claims.
- 17) Number of Outstanding Claims - This field reflects the outstanding claims count corresponding to each of the class codes. Please see subsection 4203.30(j) for the definition of outstanding claims.

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Section 4203.80 Coding Conventions for Homeowner and Residential Fire Insurance

This Section provides instructions for coding 15 fields included in the homeowner and residential fire insurance line. For the calendar year premium-only records of homeowner and residential fire lines, only Fields 1 through 10, and 13 are to be reported. Insurers writing homeowner and residential fire on a calendar-accident year basis must also submit calendar year premium-only records. And finally, homeowner and residential fire records will be submitted by zip code.

- a) Data for the homeowner and residential fire lines will be reported on either a calendar year or calendar-accident year basis. Only voluntary business will be reported.
- b) In the homeowner line, the insurer will code one record for each class for multi-state data and one record for each class for each zip code for Illinois-only data. It is not necessary to submit a record that sums the data for all the zip codes in each class. If an insurer reports homeowner or residential fire data using the calendar-accident method of compiling annual experience, it must also report the data under the calendar year premium-only method by zip code.
- c) If an insurer is unable to separate a homeowner endorsement for earthquake (classification code HEQ) from the residential earthquake data (classification code REQ), the data should be reported as part of REQ using the instructions for reporting earthquake data in Section 4203.70. In like manner, earthquake data from an endorsement to a residential fire policy should be reported under the HEQ code.
- d) The following provides a detailed description of each data field:
 - 1) FEIN - This alpha-numeric field reflects the Federal Employer Identification Number assigned to the insurer. (Do not include the hyphen, for example 555555555.)
 - 2) Filing Method - This one-character alpha-numeric field identifies the source of the data as either an agent or an insurance company. Possible codes are:
 - 1 = American Association of Insurance Services (AAIS)
 - 2 = Insurance Services Office, Inc. (ISO)
 - 3 = National Association of Independent Insurers (NAII)
 - 4 = National Independent Statistical Service (NISS)
 - 5 = Company Direct - Partial
 - 6 = Company Direct - 100 Percent
 - 7 = Other

- 3) Line of Business - This alpha-numeric field identifies the general business line to which the data belongs. The possible codes are:
 - 5 = Homeowners
 - 10 = Residential Fire

- 4) State Identifier - This field identifies the geographical source of the data. Possible codes are:
 - 12 = Illinois only

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- 5) MS = multi-state
Experience Method - This one-character alpha-numeric field designates the experience method for the statistical data year reported. The possible codes for these lines are:
C = Calendar year
A = Calendar-accident year
X = Calendar year premium-only

- 6) Statistical Data Year - This four-character alpha-numeric field reflects the experience year. (For example, the statistical data year for the November 1996 annual filing for the calendar year method will be coded 1995 and for the calendar-accident year method will be coded for one of the years 1990 - 1994.)

- 7) Zip Code - This alpha-numeric field identifies the zip code where the homeowner exposure is located. Possible codes are:
Actual zip code = The range for Illinois zip codes (60001 through 62999).

99999 = Code for Illinois-only data where zip code does not fall within the range for Illinois zip codes (60001 through 62999).

Note: There should be one record for each represented zip code for each of the classes HO-1, HO-2, HO-3, HO-4, HO-5, HO-6, HO-8, mobile, 323, 9A, 9B, and 9C for Illinois-only data and one record for each class reported for multi-state data. For the HEQ class, reporting for Illinois-only data by zip code is required while multi-state reporting is not required. Insurers reporting homeowner or residential fire data using the calendar-accident method of compiling annual experience must also report premium and exposure data using the calendar year premium-only method by zip code. For multi-state data, the zip code field will be blank.

- 8) Classification Code - This alpha-numeric field identifies the class of insurance being reported in the line. The insurer should report one record for multi-state data and one record for each class by zip code for Illinois-only data. It is not necessary to report a record that sums all zip code data for a class. Possible codes for the classification field are:
 - HO-1
 - HO-2
 - HO-3
 - HO-4
 - HO-5
 - HO-6
 - HO-8
 - Mobile
 - 323 = Day care endorsement
 - HEQ = Homeowner earthquake endorsement
 - 9A = Residential fire, building & contents (owner-occupied 1-4 units)
 - 9B = residential fire (contents only)

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9C = residential fire (building only for non-owner-occupied)

- 9) Amount of Written Premium - This field reflects the amount of written premiums corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C.
- 10) Amount of Earned Premium - This field reflects the amount of earned premium corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C.
- 11) Amount of Paid Losses - This field reflects the paid losses corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C. Please see subsection 4203.30(g) for the definition of paid losses.
- 12) Amount of Outstanding Losses - This field reflects the outstanding losses corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C.
- 13) Number of Written Exposures - This field reflects the count of exposures for each of the class codes HO-1 through HO-8, mobile homes, 9A, 9B, and 9C. (Note that class 323 and HEQ should be left blank for this field.)
- 14) Number of Paid Claims - This field reflects the paid claims count corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C. Please see subsection 4203.30(i) for the definition of paid claims.
- 15) Number of Outstanding Claims - This field reflects the outstanding claims count corresponding to each of the class codes HO-1 through HO-8, mobile homes, 323, HEQ, 9A, 9B, and 9C. Please see subsection 4203.30(j) for the definition of outstanding claims.

Section 4203.90 Coding Conventions for Private Passenger Auto Liability Insurance (Excluding PIP)

This Section provides instructions for coding the 63 fields in the private passenger auto liability records, excluding PIP. For the calendar year premium-only records, the private passenger auto liability, Fields 1 through 9, 14, 17, 18, 25, 26, 33, 34, 41, 42, 49, 50 and 51 are to be reported. And finally, private passenger auto liability records will be submitted by zip code.

- a) Data for the private passenger automobile liability line will be reported on a calendar-accident year basis and will include only the voluntary market. No-fault data will be excluded.
- b) In the private passenger auto liability line, the insurer will submit one record for the line for multi-state data and one record for each zip code for Illinois-only data. It is not necessary to submit a record which sums the Illinois-only data for all the zip codes. Insurers are also required to report premium and exposure data by zip code using the calendar year premium-only method of compiling annual experience.

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- c) The applicable bodily injury and property damage data for split limit policies will be reported in Fields 8-48. The applicable data for single limit policies will be reported in Fields 49-63. Written exposures, written premium, and earned premium for single limit policies will be reported in Fields 49-51. Losses, loss adjustment expenses, and claims counts will be reported for bodily injury and property damage using the instructions in Fields 51-63.
 - d) The following provides a detailed description of each data field:
 - 1) FEIN - This alpha-numeric field reflects the Federal Employer Identification Number assigned to the insurer. (Do not include the hyphen, for example 555555555.)
 - 2) Filing Method - This one-character alpha-numeric field identifies the source of the data as either an agent or an insurer company. Possible codes are:
 - 1 = American Association of Insurance Services (AAIS)
 - 2 = Insurance Services Office, Inc. (ISO)
 - 3 = National Association of Independent Insurers (NAII)
 - 4 = National Independent Statistical Service (NISS)
 - 5 = Company Direct - Partial
 - 6 = Company Direct - 100 Percent
 - 7 = Other
 - 3) Line of Business - This alpha-numeric field identifies the general business line to which the data belongs. The code is:
 - 4 = Private passenger auto liability
 - 4) State Identifier - This field identifies the geographical source of the data. Possible codes are:
 - 12 = Illinois only
 - MS = multi-state
 - 5) Experience Method - This one-character alpha-numeric field designates the experience method for the statistical data year reported. The code for the private passenger auto liability line is:
 - A = Calendar-accident year
 - X = Calendar year premium-only
 - 6) Statistical Data Year - This four-character alpha-numeric field reflects the experience year. (For example, the statistical data year field for the November 1996 annual filing, will be coded one of the years 1990 - 1994.)
 - 7) Zip Code - This alpha-numeric field identifies the zip code where the automobile exposure is rated (auto is garaged). Possible codes are:
 - Actual zip code = The range for Illinois zip codes (60001 through 62999).
 - 99999 = Code for Illinois-only data where zip code does not fall within the range for Illinois zip codes (60001 through 62999).
- Note: There should be one record for each represented zip code for private passenger auto liability for Illinois-only data and one record for the multi-state data. Each insurer will report

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premium and exposure data by zip code for private passenger automobile liability. For multi-state data, the zip code field will be blank.

- 8) Amount of PPA Liability Bodily Injury (BI) Written Premium - This field reflects the amount of written premiums for BI.
- 9) Amount of PPA Liability BI Earned Premium - This field reflects the amount of earned premiums for BI.
- 10) Amount of PPA Liability BI Paid Losses - This field reflects the paid losses for BI. Please see subsection 4203.30(g) above for the definition of paid losses.
- 11) Amount of PPA Liability BI Outstanding Losses - This field reflects the outstanding losses for BI. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 12) Amount of PPA Liability BI Paid ALAE - This field reflects the ALAE for BI. If an insurer is unable to separate paid ALAE from the paid loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.
- 13) Amount of PPA Liability BI Outstanding ALAE - This field reflects the ALAE for BI. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 14) Number of PPA Liability BI Written Exposures - This field reflects the count of written exposures for the line. PPA liability exposures are based on the bodily injury component.
- 15) Number of PPA Liability BI Paid Claims - This field reflects the paid claims count for BI. Please see subsection 4203.30(i) for the definition of paid claims.
- 16) Number of PPA Liability BI Outstanding Claims - This field reflects the outstanding claims count for BI. Please see subsection 4203.30(j) for the definition of outstanding claims.
- 17) Amount of PPA Liability Property Damage Written Premium - This field reflects the amount of written premiums for property damage liability.
- 18) Amount of PPA Liability Property Damage Earned Premium - This field reflects the amount of earned premiums for property damage liability.
- 19) Amount of PPA Liability Property Damage Paid Losses - This field reflects the paid losses for property damage liability. Please see subsection 4203.30(g) for the definition of paid losses.
- 20) Amount of PPA Liability Property Damage Outstanding Losses - This field reflects the outstanding losses for property damage liability. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 21) Amount of PPA Paid Liability Property Damage ALAE - This field reflects ALAE for property damage liability. If an insurer is unable to separate paid ALAE from the paid loss, the combined

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paid loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.

- 22) Amount of PPA Outstanding Liability Property Damage ALAE - This field reflects outstanding ALAE for property damage liability. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined outstanding loss and outstanding ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 23) Number of PPA Liability Property Damage Paid Claims - This field reflects the paid claims count for property damage liability. Please see subsection 4203.30(l) for the definition of paid claims.
- 24) Number of PPA Liability Property Damage Outstanding Claims - This field reflects the outstanding claims count for property damage liability. Please see subsection 4203.30(j) for the definition of outstanding claims.
- 25) Amount of PPA Liability UM/UIM Written Premium - This field reflects the written premiums for UM/UIM.
- 26) Amount of PPA Liability UM/UIM Earned Premium - This field reflects the earned premiums for UM/UIM.
- 27) Amount of PPA Liability UM/UIM Paid Losses - This field reflects the paid losses for UM/UIM. Please see subsection 4203.30(g) for the definition of paid losses.
- 28) Amount of PPA Liability UM/UIM Outstanding Losses - This field reflects the outstanding losses for UM/UIM. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 29) Amount of PPA Liability UM/UIM Paid ALAE - This field reflects the ALAE for UM/UIM liability. If an insurer is unable to separate paid ALAE from the paid loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.
- 30) Amount of PPA Liability UM/UIM Outstanding ALAE - This field reflects the outstanding ALAE for UM/UIM liability. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 31) Number of PPA Liability UM/UIM Paid Claims - This field reflects the paid claims count for UM/UIM liability. Please see subsection 4203.30(i) for the definition of paid claims.
- 32) Number of PPA Liability UM/UIM Outstanding Claims - This field reflects the outstanding claims count for UM/UIM liability. Please see subsection 4203.30(j) for the definition of outstanding claims.
- 33) Amount of PPA Liability Medical Payments Written Premium - This field reflects the amount of written premiums for medical

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- payments.
- 34) Amount of PPA Liability Medical Payments Earned Premium - This field reflects the amount of earned premiums for medical payments.
- 35) Amount of PPA Liability Medical Payments Paid Losses - This field reflects the paid losses for medical payments. Please see subsection 4203.30(g) for definition of paid losses.
- 36) Amount of PPA Liability Medical Payments Outstanding Losses - This field reflects the outstanding losses for medical payments. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 37) Amount of PPA Liability Medical Payments Paid ALAE - This field reflects ALAE for medical payments. If an insurer is unable to separate paid ALAE from the paid loss, the "combined" loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.
- 38) Amount of PPA Liability Medical Payments Outstanding ALAE - This field reflects ALAE for medical payments. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the paid ALAE field.
- 39) Number of PPA Liability Medical Payments Paid Claims - This field reflects the paid claims count for medical payments. Please see subsection 4203.30(i) for the definition of paid claims.
- 40) Number of PPA Liability Medical Payments Outstanding Claims - This field reflects the outstanding claims count for medical payments. Please see subsection 4203.30(j) for the definition of outstanding claims.
- Note: Fields 41-48 will be blank for the majority of private passenger auto liability insurers. The purpose of the other component is to capture any private passenger auto liability data from insurers that do not fall within bodily injury, property damage, UM/UIM, or medical payments.
- 41) Amount of PPA Liability Other Written Premium - This field reflects the amount of written premiums for other (not fitting any other private passenger auto liability field).
- 42) Amount of PPA Liability Other Earned Premium - This field reflects the amount of earned premiums for other (not fitting any other private passenger auto liability field).
- 43) Amount of PPA Liability Other Paid Losses - This field reflects the paid losses for other (not fitting any other private passenger auto liability field). Please see subsection 4203.30(g) for the definition of paid losses.
- 44) Amount of PPA Liability Other Outstanding Losses - This field reflects the outstanding losses for other (not fitting any other private passenger auto liability field). Please see subsection 4203.30(g) for the definition of outstanding losses.

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- 45) Amount of PPA Liability Other Paid ALAE - This field reflects the paid ALAE for other (not fitting any other private passenger auto liability field). If an insurer is unable to separate paid ALAE from the paid loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.
- 46) Amount of PPA Liability Other Outstanding ALAE - This field reflects the outstanding ALAE for other (not fitting any other private passenger auto liability field). If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 47) Number of PPA Liability Other Paid Claims - This field reflects the paid claims count for other (not fitting any other liability field). Please see subsection 4203.30(i) for the definition of paid claims.
- 48) Number of PPA Liability Other Outstanding Claims - This field reflects the outstanding claims count for other (not fitting any other liability field). Please see subsection 4203.30(j) for the definition of outstanding claims.
- Note: Fields 49-63 provide the fields for an insurer to report its private passenger auto liability policies written with a single limit. If none were written for the experience period, these fields will be left blank.
- 49) Number of PPA Liability Single Limit (SL) Written Exposures - This field reflects the count of exposures written under single limit policies.
- 50) Amount of PPA Liability for Single Limit (SL) Written Premium - This field reflects the amount of written premiums for policies written under single limit policies.
- 51) Amount of PPA Liability for SL Earned Premium - This field reflects the amount of earned premiums for policies written under single limit policies.
- 52) Amount of PPA Liability BI Paid Losses for SL Policies - This field reflects the amount of paid losses for bodily injury under single limit policies. Please see subsection 4203.30(g) for the definition of paid losses.
- 53) Amount of PPA Liability BI Outstanding Losses for SL Policies - This field reflects the amount of outstanding losses for bodily injury under single limit policies. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 54) Amount of PPA Liability BI Paid ALAE for SL Policies - This field reflects the paid ALAE for bodily injury under single limit policies. If an insurer is unable to separate paid ALAE from the paid loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.

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- 55) Amount of PPA Liability BI Outstanding ALAE for SL Policies - This field reflects the outstanding ALAE for bodily injury under single limit policies. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 56) Number of PPA Liability BI Paid Claims for SL Policies - This field reflects the paid claims count for bodily injury under single limit policies. Please see subsection 4203.30(i) for the definition of paid claims.
- 57) Number of PPA Liability BI Outstanding Claims for SL Policies - This field reflects the outstanding claims count for bodily injury under single limit policies. Please see subsection 4203.30(j) for the definition of outstanding claims.
- 58) Amount of PPA Liability Property Damage (PD) Paid Losses for SL Policies - This field reflects the paid losses for property damage under single limit policies. Please see subsection 4203.30(g) for the definition of paid losses.
- 59) Amount of PPA Liability PD Outstanding Losses for SL Policies - This field reflects the outstanding losses for property damage under single limit policies. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 60) Amount of PPA Liability PD Paid ALAE for SL Policies - This field reflects the paid ALAE for property damage under single limit policies. If an insurer is unable to separate paid ALAE from the paid loss, the combined loss and ALAE will be reported in the paid loss field for the line and the code "combined" will appear in the paid ALAE field.
- 61) Amount of PPA Liability PD Outstanding ALAE for SL Policies - This field reflects the outstanding ALAE for property damage under single limit policies. If an insurer is unable to separate outstanding ALAE from the outstanding loss, the combined loss and ALAE will be reported in the outstanding loss field for the line and the code "combined" will appear in the outstanding ALAE field.
- 62) Number of PPA Liability PD Paid Claims - This field reflects the paid claims count for property damage under single limit policies. Please see subsection 4203.30(i) for the definition of paid claims.
- 63) Number of PPA Liability PD Outstanding Claims - This field reflects the outstanding claims count for property damage under single limit policies. Please see subsection 4203.30(j) for the definition of outstanding claims.

Section 4203.100 Coding Conventions for Private Passenger Auto Physical Damage

This Section provides instructions for coding the 26 fields included in the

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private passenger auto physical damage records. Insurers writing private passenger auto physical damage will not submit calendar year premium-only records.

- a) Private passenger auto physical damage data are to be reported on a calendar-year basis for only the voluntary market.
- b) In the private passenger physical damage line, the insurer will code one record for the line for multi-state data and one record for the line for each zip code represented in the Illinois-only data. It is not necessary to submit a record which sums the Illinois-only data for all the zip codes. No calendar year premium-only records are required.
- c) The following provides a detailed description of each data field:
- 1) FEIN - This alpha-numeric field reflects the Federal Employer Identification Number assigned to the insurer. (Do not include the hyphen, for example 55555555.)
 - 2) Filing Method - This one-character alpha-numeric field identifies the source of the data as either an agent or an insurance company. Possible codes are:
 - 1 = American Association of Insurance Services (AAIS)
 - 2 = Insurance Services Office, Inc. (ISO)
 - 3 = National Association of Independent Insurers (NAII)
 - 4 = National Independent Statistical Service (NISS)
 - 5 = Company Direct - Partial
 - 6 = Company Direct - 100 Percent
 - 7 = Other
 - 3) Line of Business - This alpha-numeric field identifies the general business line to which the data belongs. The code for private passenger auto physical damage is:
 - 7 = Private passenger auto physical damage
 - 4) State Identifier - This field identifies the geographical source of the data. Possible codes are:
 - 12 = Illinois only
 - MS = multi-state
 - 5) Experience Method - This one-character alpha-numeric field designates the experience method for the statistical data year reported. The code for the private passenger auto physical damage line is:
 - C = Calendar year
 - 6) Statistical Data Year - This four-character alpha-numeric field reflects the experience year. (For example, the statistical data year for the November 1996 annual filing, will be coded 1995.)
 - 7) Zip Code - This alpha-numeric field identifies the zip code where the Illinois-only exposure is written. Possible codes are:
 - Actual zip code = The range for Illinois zip codes (60001 through 62999).
 - 99999 = Code for Illinois-only data where zip code does not fall within the range for Illinois zip codes (60001 through 62999).

Note: There should be one record for each represented zip code

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for private passenger auto physical damage for Illinois-only data. It is unnecessary to submit a record that sums the data for all the zip codes. For multi-state data, the zip code field should be blank.

- 8) Amount of PPA Physical Damage Comprehensive (Comp) Written Premium - This field reflects the amount of written premiums for comprehensive.
- 9) Amount of PPA Comprehensive Earned Premium - This field reflects the amount of earned premiums for comprehensive.
- 10) Amount of PPA Comprehensive Paid Losses - This field reflects the paid losses for comprehensive. Please see subsection 4203.30(g) for the definition of paid losses.
- 11) Amount of PPA Comprehensive Outstanding Losses - This field reflects the amount of outstanding losses for comprehensive. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 12) Number of PPA Comprehensive Written Exposures - This field reflects the written exposure count for private passenger auto physical damage - using the comprehensive component.
- 13) Number of PPA Comprehensive Paid Claims - This field reflects the paid claims count for comprehensive. Please see subsection 4203.30(i) for the definition of paid claims.
- 14) Number of PPA Comprehensive Outstanding Claims - This field reflects the outstanding claims count for comprehensive. Please see subsection 4203.30(j) for the definition of outstanding claims.
- 15) Amount of PPA Collision Written Premium - This field reflects the amount of written premiums for collision.
- 16) Amount of PPA Collision Property Damage Earned Premium - This field reflects the amount of earned premiums for collision.
- 17) Amount of PPA Collision Paid Losses - This field reflects the paid losses for collision. Please see subsection 4203.30(g) for the definition of paid losses.
- 18) Amount of PPA Collision Outstanding Losses - This field reflects the outstanding losses for collision. Please see subsection 4203.30(g) for the definition of outstanding losses.
- 19) Number of PPA Collision Paid Claims - This field reflects the paid claims count for collision. Please see subsection 4203.30(i) for the definition of paid claims.
- 20) Number of PPA Collision Outstanding Claims - This field reflects the outstanding claims count for collision. Please see subsection 4203.30(j) for the definition of paid claims.
Note: Fields 21-26 will be blank for the majority of private passenger auto physical damage insurers. The purpose of the other category is to capture any private passenger auto physical damage data from insurers that do not fall within the comprehensive or collision components.
- 21) Amount of PPA Other Written Premium - This field reflects the amount of written premiums for other (not fitting in comp or

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- 22) Amount of PPA Other Earned Premium - This field reflects the amount of earned premiums for other (not fitting in comp or collision).
- 23) Amount of PPA Other Paid Losses - This field reflects the paid losses for other (not fitting in comp or collision). Please see subsection 4203.30(g) for the definition of paid losses.
- 24) Amount of PPA Other Outstanding Losses - This field reflects the outstanding losses for other (not fitting in comp or collision). Please see subsection 4203.30(g) for the definition of outstanding losses.
- 25) Number of PPA Other Paid Claims - This field reflects the paid claims count for other (not fitting in comp or collision). Please see subsection 4203.30(i) for the definition of paid claims.
- 26) Number of PPA Other Outstanding Claims - This field reflects the outstanding claims count for other (not fitting in comp or collision.) Please see subsection 4203.30(j) for the definition of outstanding claims.

Section 4203.110 Record Layout for the Four Formats

The following table below should assist users and data processing personnel in understanding the requirements of this Part. This Section provides the required fields for each line or type of insurance. Special attention should be given to the classes that are reported on a calendar year premium-only basis.

- The calendar year premium-only records for other liability, medical malpractice, earthquake (REQ), BOP, excess insurance, and commercial auto liability will have entries only in Fields 1-10 and 15. Please follow the specific instructions for each of these 11 fields. (Note that insurers that use a calendar year method of annual compilation for reporting earthquake (REQ) or excess insurance classes need not submit calendar year premium-only records for these classes.)
- The calendar year premium-only records for homeowner and residential fire will have entries only in Fields 1-10 and 13. Please follow the specific instructions for each of these 11 fields. (Note that calendar year premium-only records are not required for these lines if insurers use the calendar year method of annual compilation for reporting this data.)
- For the private passenger auto liability line, Fields 1-9, 14, 17, 18, 25, 26, 33, 34, 41, 42, 49, 50, and 51 are to be reported. Please follow the specific instructions for each of these 21 fields.
- Since private passenger auto physical damage is reported on a

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calendar year basis, no calendar year premium-only records are required.

. Zip code reporting is required for homeowner, residential fire, and private passenger liability for the calendar year premium-only records.

Due to space limitations, the following abbreviations were used in this table:

Wt Prem = Written Premium
OS = Outstanding
BI = Bodily Injury
Med Pay = Medical Payments
SL = Single Limit
E Prem = Earned Premium
ALAE = Allocated Loss Adjustment Expenses
PD = Property Damage
UM/UIM = Uninsured/Underinsured Motorists
Comp = Comprehensive
Pd = Paid
Coll = Collision, Other Liab, Medical

Other Liab, Medical
Malpractice, Earthquake
(REQ), BOP, Excess
Insurance, and
Commercial Auto Liab

	Homeowners Res Fire	Priv Pass Auto Liability	Priv Pass Auto Physical Damage
1. FEIN #	FEIN #	FEIN #	FEIN #
2. Filing Method	Filing Meth	Filing Meth	Filing Meth
3. Line of Business	Line of Bus	Line of Bus	Line of Bus
4. State ID	State ID	State ID	State ID
5. Experience Method	Exp Meth	Exp Meth	Exp Meth
6. Statistical Data Yr	Stat Data Yr	Stat Data Yr	Stat Data Yr
7. Classification Code	Zip Code(3)	Zip Code(3)	Zip Code(3)
8. Form Type(1)	Class Code	Amt BI Wr Prem	Amt Comp Wr Prem
9. Amt of Wr Prem	Amt Wr Prem	Amt BI E Prem	Amt of Comp E Prem
10. Amt of E Prem	Amt E Prem	Amt BI Pd	Amt of Comp Pd Loss
11. Amt of Pd Losses	Amt Pd Loss	Amt BI OS	Amt of Comp OS Loss
12. Amt of OS Losses	Amt OS Loss	Amt BI Pd	Amt of Comp Wr Exp
13. Amt of Pd ALAE(1)	# of Wr Exp	Amt BI OS	# of Comp Pd Claims
14. Amt of OS ALAE(1)	# Pd Claims	ALAE ALAE	# of Comp OS Claims

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Other Liab, Medical
Malpractice, Earthquake
(REQ), BOP, Excess
Insurance, and
Commercial Auto Liab

Homeowners
Res Fire

Priv Pass Auto
Liability

Priv Pass Auto
Physical Damage

	# OS Claims	# BI Pd Claims	15. # of Wr Exposures(2)	Claims
16. # of Pd Claims	# of BI OS Claims	Amt of Coll E Prem	Amt of Coll Wr Prem	Amt of Coll Wr Prem
17. # of OS Claims	Amt of PD Wr Prem	Amt of Coll Pd Loss	Amt of Coll Pd Loss	Amt of Coll Pd Loss
18.	Amt of PD E Prem	Amt of Coll OS Loss	Amt of Coll OS Loss	Amt of Coll OS Loss
19.	Amt of PD Pd Loss	# of Coll Pd Claims	# of Coll Pd Claims	# of Coll Pd Claims
20.	Amt of PD OS Loss	# of Coll OS Claims	# of Coll OS Claims	# of Coll OS Claims
21.	Amt of PD Pd ALAE	Amt Other Wr Prem	Amt Other Wr Prem	Amt Other Wr Prem
22.	Amt of PD OS ALAE	Amt of Other E Prem	Amt of Other E Prem	Amt of Other E Prem
23.	# of PD Pd Claims	Amt of Other Pd Loss	Amt of Other Pd Loss	Amt of Other Pd Loss
24.	# of PD OS Claims	Amt of Other OS Loss	Amt of Other OS Loss	Amt of Other OS Loss
25.	Amt UM/UIM Wr Prem	# of Other Pd Claims	# of Other Pd Claims	# of Other Pd Claims
26.	Amt UM/UIM E Prem	# of Other OS Claims	# of Other OS Claims	# of Other OS Claims
27.	Amt UM/UIM Pd Loss	Amt of Med Pay Wr Prem	Amt of Med Pay Wr Prem	Amt of Med Pay Wr Prem
28.	Amt UM/UIM OS Loss	Amt of Med Pay E Prem	Amt of Med Pay E Prem	Amt of Med Pay E Prem
29.	Amt UM/UIM Pd ALAE	Amt of Med Pay Claims	Amt of Med Pay Claims	Amt of Med Pay Claims
30.	Amt UM/UIM OS ALAE	Amt of Med Pay Wr Prem	Amt of Med Pay Wr Prem	Amt of Med Pay Wr Prem
31.	# of UM/UIM Pd Claims	Amt of Med Pay E Prem	Amt of Med Pay E Prem	Amt of Med Pay E Prem
32.	# of UM/UIM OS Claims	Amt of Med Pay Claims	Amt of Med Pay Claims	Amt of Med Pay Claims
33.	Amt of Med Pay Wr Prem	Amt of Med Pay E Prem	Amt of Med Pay E Prem	Amt of Med Pay E Prem
34.	Amt of Med Pay E Prem	Amt of Med Pay Claims	Amt of Med Pay Claims	Amt of Med Pay Claims
35.	Amt of Med Pay Claims	Amt of Med Pay Claims	Amt of Med Pay Claims	Amt of Med Pay Claims

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Other Liab, Medical
Malpractice, Earthquake
(REQ), BOP, Excess
Insurance, and
Commercial Auto Liab

Homeowners
Res Fire

Priv Pass Auto
Liability

Priv Pass Auto
Physical Damage

36. Pd Losses
 Amt of Med Pay

37. OS Losses
 Amt of Med Pay

38. Pd ALAE
 Amt of Med Pay

39. OS ALAE
 # of Med Pay

40. Pd Claims
 # of Med Pay

41. OS Claims
 Amt of Other

42. Wr Prem
 Amt of Other

43. E Prem
 Amt of Other

44. Pd Losses
 Amt of Other

45. OS Losses
 Amt of Other

46. Pd ALAE
 Amt of Other

47. OS ALAE
 # of Other

48. Pd Claims
 # of Other

49. OS Claims
 # of SL Wr
 Exposures

50. Amt of SL
 WR Prem

51. Amt of SL
 E Prem

52. Amt of BI SL
 Pd Losses

53. Amt of BI SL
 OS Losses

54. Amt of BI SL
 Pd ALAE

55. Amt of BI SL
 OS ALAE

56. # of BI SL

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Other Liab, Medical
Malpractice, Earthquake
(REQ), BOP, Excess
Insurance, and
Commercial Auto Liab

Homeowners
Res Fire

Priv Pass Auto
Liability

Priv Pass Auto
Physical Damage

57. Pd Claims
 # of BI SL

58. OS Claims
 Amt of PD SL

59. Pd Losses
 Amt of PD SL

60. OS Losses
 Amt of PD SL

61. Pd ALAE
 Amt of PD SL

62. OS ALAE
 # of PD SL

63. Pd Claims
 # of PD SL

OS Claims

Table:

(1) This field should be left blank for earthquake data.

(2) This field should be left blank for earthquake, BOP, and excess insurance data.

(3) This field should be left blank for multi-state data.

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- 1) Heading of the Part: Illinois Bicycle Path Grant Program

- 2) Code Citation: 17 Ill. Adm. Code 3040

- 3) Section Numbers: Adopted Action:

3040.10 Amendments

3040.40 Amendments

3040.50 Amendments

3040.70 Amendments

3040.80 Amendments

APPENDIX A Repealed

APPENDIX B Repealed

APPENDIX C Repealed

APPENDIX D Repealed

APPENDIX E Repealed

APPENDIX F Repealed

APPENDIX G Repealed

- 4) Statutory Authority: Implementing and authorized by Section 63a36 of the Civil Administrative Code of Illinois [20 ILCS 805/63a36] and Section 2-119 of the Illinois Vehicle Code [625 ILCS 5/2-119].

- 5) Effective Date of Rulemaking: March 3, 1998

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this rulemaking contain incorporations by reference? No

- 8) Date filed in Agency's Principal Office: March 2, 1998

- 9) Notice of Proposal Published in Illinois Register: December 12, 1997, 21 Ill. Reg. 15995

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version: In Section 3040.70(b), the comma following "perpetuity" was removed.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rulemaking replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rulemaking: Amendments were made to this Part to reflect revised procedures for administration of the program.

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- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER 9: GRANTS

PART 3040
ILLINOIS BICYCLE PATH GRANT PROGRAM

- Section
3040.10 Program Objectives
3040.20 Eligibility Requirements
3040.30 Assistance Formula
3040.40 General Procedures for Grant Applications and Awards
3040.50 Eligible Project Costs
3040.60 Project Evaluation Priorities
3040.70 Program Compliance Requirements
3040.80 Program Information/Contact
- APPENDIX A Project Evaluation Criteria
APPENDIX B Application Form (Repealed)
APPENDIX C Acquisition Data (Repealed)
APPENDIX D Development Data (Repealed)
APPENDIX E Narrative Statement and Environmental Evaluation (Repealed)
APPENDIX F Certification Statement (Repealed)
APPENDIX G Application for Federal/State Assistance (Repealed)

AUTHORITY: Implementing and authorized by Section 63a36 of the Civil Administrative Code of Illinois [20 ILCS 805/63a36] and Section 2-119 of the Illinois Vehicle Code [625 ILCS 5/2-119].

SOURCE: Adopted at 14 Ill. Reg. 6106, effective April 17, 1990; amended at 15 Ill. Reg. 4132, effective March 4, 1991; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 4902, effective MAR 3 1998.

Section 3040.10 Program Objectives

The purpose of the program is to provide financial assistance to eligible local units of government to assist them in the acquisition, construction, and rehabilitation of public off-road, non-motorized bicycle paths and directly related facilities (such as signs, drinking water, rest rooms) in Illinois. Bicycle routes/lanes sharing existing roadway surfaces are not eligible for funding assistance under this program.

(Source: Amended MAR 3 1998 22 Ill. Reg. 4902, effective MAR 3 1998)

Section 3040.40 General Procedures for Grant Applications and Awards

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- a) Grant applications for funding assistance under this program must be submitted in accordance with schedules to be publicly announced annually by the Department of Natural Resources. Necessary application forms and instructions are available through the Department. Awarding of grants will be on a competitive basis and will be made under the authority of the Director of the Department of Natural Resources.
- b) Project grant applications shall consist of the following basic components, at a minimum:
- 1) local project sponsor's name, address and telephone number;
 - 2) existing supply of public bicycle trails currently existing within jurisdiction of the project sponsor;
 - 3) an itemized proposed project cost estimate;
 - 4) project narrative statement describing the project concept, location, need for objectives of the project, anticipated benefits, proposed trail usages and method of financing or accomplishing the project;
 - 5) project location map, site plat map and proposed development plan;
 - 6) project environmental evaluation;
 - 7) proof of land ownership or usage rights for development project or commitment of title insurance for property planned for acquisition; and
 - 8) a signed document by the project sponsor verifying the applicant has the resources to initially finance and properly manage the project area and will comply with program regulations and indemnify the Department from any liability relative to the project.
- 1) Acquisition-Project
- A) completed application forms;
 - B) project narrative statement describing the project concept, location, need for and objectives of the project; anticipated benefits and method of financing; and accomplishing the project;
 - C) project location map and plat map of area;
 - D) future site development plan; and
 - E) environmental evaluation.
- 2) Development-Project
- A) completed application forms;
 - B) itemized development cost estimates for each project component;
 - C) project narrative statement describing the project concept, location, need for and objectives of the project; anticipated benefits and methods of financing; and accomplishing the project;
 - D) project location map and plat map;
 - E) site development plan;
 - F) environmental/archaeological evaluation (new construction

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entity, and

- 6) proof-of-land-ownership-or-usage-rights-
A program information project application packet may be obtained from the Division of Grant Administration Technical--Services--Grants Section, Illinois Department of Natural Resources, 524 S. Second Street, Springfield, IL 62701-1787. Telephone 217/782-7481

(Source: Amended at 22 Ill. Reg. 4902, effective 4/1/90)

Section 3040.50 Eligible Project Costs

- a) Grant assistance may be obtained for the following items:

- 1) Land acquisition costs (fee simple title, permanent easement or long-term lease) for bicycle paths, including associated appraisal costs approved by the Department. For acquisition of less than fee simple title or permanent easement, such as a lease agreement, the agreement must cover a minimum time period of 25 years, unless otherwise approved by the Department. The Department will consider, on a case-by-case basis, lease arrangements for shorter periods when State statute prohibits a unit of local government from entering into such a long-term agreement, or other circumstances beyond the control of the local unit of government prohibit such arrangements to assure the land lease is not rescinded prior to the terms of the amortization schedule in the project agreement being fulfilled. For example: statutory limitations prevent longer than five year lease, but lease is automatically renewable.
- 2) Bicycle path development costs including, but not necessarily limited to, site clearing and grading, surfacing, drainage, bridging, access control devices, fencing, signs and associated support facilities such as parking areas, access roads, shelters, restrooms, safety lighting, potable water supply and other directly related bicycling support facilities. Architectural/engineering services deemed necessary for the proper design and construction of project bicycle paths are also considered eligible development costs.

- b) Project costs for which reimbursement is sought cannot be incurred by the project applicant until after grant approval notification. Costs incurred prior to Department approval are ineligible for grant assistance. For acquisition projects, costs are considered incurred when property deed, lease or other conveyance is accepted by the local sponsor or first payment is made on the project property or to an escrow account/agent for the property. In addition, no purchase agreement, option, etc., or price negotiations shall be entered into prior to Department approval. Development project costs are considered incurred on the date construction contracts are signed or actual physical work begins on the project site or project materials

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are delivered.

- c) No grant awards shall be awarded for the acquisition or development of land which will not be available for public bicycling use.

(Source: Amended at 22 Ill. Reg. 4902, effective 4/1/90)

Section 3040.70 Program Compliance Requirements

- a) Any property acquired or developed through assistance from the Illinois Bicycle Path Grant Program must be open to the general public for bicycle use. Property acquired or developed with program assistance may not be converted to a use which would deny bicycle use as provided by terms of the Project Agreement without prior Department approval. Approval for property conversion will be granted only if the project sponsor substitutes replacement property equal in fair market value and comparable in bicycling usefulness, quality and location.
- b) Land acquired with funding assistance from the Illinois Bicycle Path Grant Program shall be operated and maintained in perpetuity for public bicycle path and recreation use.
- c) For projects receiving development grant assistance only, terms of this Part shall no longer apply after the time period specified below relating to the total amount of grant funds expended on the project:

Time Period After

Final Project Billing

0 - \$50,000 5 years

for every \$10,000
increment over \$50,000 add 1 year

- d) For projects receiving acquisition assistance, an appraisal two appraisals must be provided by the sponsoring agency and submitted to the Department for review and certification. The appraisal appraisals must be completed to Departmental specifications. Title to any property for which grant reimbursement is sought cannot be taken by the sponsoring agency before Department approval of Certified Fair Market Value for the property is received.

- e) For projects receiving development assistance, the sponsoring agency must possess either fee simple title or a permanent easement to the property being improved or an approved lease arrangement of at least 25 years, unless otherwise approved by the Department. The Department will consider, on a case-by-case basis, lease arrangements for shorter periods when State statute prohibits a unit of local government from entering into such a long-term agreement, or other circumstances beyond the control of the local unit of government prohibit such

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arrangements (see Section 3040.50(a)(1)). The sponsor must also adhere to applicable state and local procurement requirements and make available to the Department all working plans, specifications, contract documents and cost estimates for review prior to commencing work. The format for any advertisement or prospectus soliciting and inviting bids, indicating dates of same, must also be presented, upon request, to the Department for review prior to publication. The Department will notify the project sponsor if the proposed project requires approval from a registered structural engineer (1117-Rev. Stat. 1987, ch. 117, par. 6506).

f) The local sponsoring agency is required to enter into an agreement with the Department for an amount agreed upon as necessary to complete the approved project, specifying the related grant reimbursement amount and program compliance regulations.

g) Upon project completion, the project sponsor must submit a certified project billing request form (expenditure statement) listing/verifying all funds expended on the project for which grant reimbursement is sought, as well as required billing documentation, as follows:

1) ACQUISITION PROJECT: Proof of fair market value offer to seller for the property, copy of deed, copy of the signed statement of just compensation/offer to purchase form, warranty deed (Judgment Order in case of condemnation) showing ownership transferred to the local project sponsor for property, and copies of cancelled check(s) showing proof of payment to seller.

2) DEVELOPMENT PROJECTS: Copy of Construction As-Built drawings (no larger than 11" x 17"), copy of receipts/invoices for project costs, and copy copies of cancelled checks showing proof of payment.

h) Financial records on approved projects must be maintained and retained by the project sponsor for possible State audit for a period of 5 three years after final reimbursement payment is made by the Department.

i) The sponsoring agency must permanently post a Bicycle Path Grant Program acknowledgement sign at the project site where grant assistance is involved. The necessary required sign will be provided by the Department or specifications for its construction will be furnished to the local project sponsor, if requested by the Department upon grantee's request.

j) The sponsoring agency shall insert, as an integral part of any contract with the approved project bidder, the following provisions:

1) That the contractor must abide by and comply with all applicable local and State laws relating to fair employment practices and prohibiting unlawful discrimination in employment contracts involving public funds, the construction or development of public buildings, works or facilities.

2) That the contractor must comply with and be bound by any applicable local and State laws in any manner pertaining or relating to wages and claims of laborers, mechanics and other

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workers, agents, or servants in any manner employed in connection with contracts involving public funds or the development or construction of public works, buildings or facilities:

3) That the contractor must abide by and comport with all applicable local and State laws relating or pertaining to the development and/or construction of public works, buildings, or facilities, including but not limited to any and all applicable workmen's compensation acts or laws.

4) That the contractor shall provide and furnish the sponsoring agency and the Department, if requested, good and sufficient performance bonds adequate to satisfy or sureties, with applicable penalty or loss clauses concerning or relating to the construction of the proposed facilities and any losses, costs or damages arising out of or by virtue of said construction by the contractor of the specified bicycle facilities and which insure benefits and protects the sponsoring agency and the Department.

5) That the contractor shall personally and individually agree and covenant, and shall furnish and provide sufficient evidence of insurance to indemnify, protect, defend at its own cost, and hold harmless the sponsoring agency and the Department from and against all losses, damages, injuries, costs, expenses or claims thereof to or by persons or property arising out of, through, under or by virtue of the construction and development of the specified bicycle path facilities.

i) Projects assisted with Illinois Bicycle Path Grant funds shall be implemented in accordance with all applicable Federal, State and local laws, ordinances and regulations relating to public agency expenditure of funds for public works projects.

k) It shall be understood by the project sponsor that a Department representative may make periodic inspections of the project as construction progresses and that a final inspection and acceptance of the completed project must be made by a representative or agent of the Department prior to final payment of grant reimbursement to the local sponsoring agency.

l) The sponsoring agency shall indemnify, protect, defend and hold harmless the Department from any and all liability, costs, damages, expenses, or claims thereof arising under, through or by virtue of the construction, operation and maintenance of Program-assisted bicycle path facilities.

m) In connection with and prior to the construction, and thereafter the subsequent operation and maintenance of Program-assisted bicycle facilities, it shall be understood that the project sponsor is responsible for obtaining any and all necessary construction permits, licenses or forms of consent as the case may be required by law. Failure to obtain any required permit(s) may jeopardize approved grant funding, from, but not limited to, the agencies listed below, in addition, the sponsoring agency further agrees to comply with any applicable provisions of the Campground Licensing-Recreational Area

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~~Licensing Act (Ill. Rev. Stat. 1987, ch. 111, 1/2, par. 761-1 et seq.) administered by the Illinois Department of Public Health;~~

~~1) U.S. Army Corps of Engineers;~~

~~2) Illinois Department of Transportation;~~

~~3) Illinois Environmental Protection Agency;~~

~~4) Illinois State Historic Preservation Agency; and~~

~~5) local building or zoning agencies or boards, where applicable.~~

n) The sponsoring agency must comply with and abide by the following operation and maintenance provisions:

- 1) All bicycle facilities financed with funds from this grant program shall be continuously operated and maintained by the sponsoring agency at no cost to the Department and shall be operated and utilized in such a manner as to maximize the intended benefits to and for the general public.
- 2) The sponsoring agency shall satisfactorily maintain Program-assisted bicycle path facilities so as to promote the safe and enjoyable usage of the facility by the public.
- 3) All bicycle path facilities financed with funds from this grant program shall be open to the public for use and enjoyment without regard to race, color, disability, creed or national origin. No lessee or licensee of an area under a lease or license providing for a public or quasi-public use and no concessionaire of a lessee or licensee providing a service to the public, including facilities and accommodations, shall unlawfully discriminate against any person or persons because of race, color, disability, creed, or national origin in the conduct of its operation under the lease, license or concession agreement.
- 4) The charging of fees for general public use of bicycle path facilities financed with funds from this grant program is strongly discouraged. However, if it is deemed necessary by the sponsoring agency that fees must be levied for use of these facilities, the sponsoring agency shall:
 - A) receive prior approval from the Department for scheduled fees to be charged;
 - B) clearly document that existing agency operation and maintenance budget is not sufficient to cover the added cost of properly operating and maintaining the project facility; and
 - C) deposit all fees in a separate account to be used for maintenance of and improvement to the Program-assisted facility only.
- 5) The Department shall have access to Program-assisted facilities at all times for inspection purposes to ensure project sponsor's continued compliance with this Part.
- 6) The sponsoring agency may enter into a contract or agreement with responsible concessionaires to operate and/or construct bicycle rental facilities, for dispersing food to the public and/or any other services as may be desired by the public and the sponsoring

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agency. Any and all concession revenue in excess of the costs of operation and maintenance of program-assisted bicycle facilities shall be used for the improvement of said facilities or similar public bicycling facilities in nearby areas.

- 7) All sub-leases or licenses entered into by the sponsoring agency with third persons relating to accommodations or concessions to be provided for or at the bicycle path facility for the benefit of the general public shall be submitted to the Department, upon request, for its approval prior to said sub-lease or license being entered into or granted by the sponsoring agency.

o) Conflict of interests

- 1) No official or employee of the local political subdivision who is authorized in his official capacity to negotiate, make, accept, or approve or to take part in such decisions regarding a contract or subcontract in connection with an approved bicycle path grant project shall have any financial or other personal interest in any such contract or subcontract.
- 2) No person performing services for the local political subdivision in connection with an approved bicycle path grant project shall have a financial or other personal interest other than his employment or retention by that local political subdivision in any contract or subcontract in connection with an approved bicycle path grant project. No officer or employee of such person retained by the local political subdivision shall have any financial or other personal interest in any real property acquired under an approved bicycle path grant project unless such interest is openly disclosed upon the public records of the local political subdivision and such officer, employee or person has not participated in the acquisition for or on behalf of the local political subdivision.

- p) The Project Sponsor certifies that it provides a drug free workplace and related employee assistance as defined and required by the Drug Free Workplace Act [30 ILCS 105/16].

- q) Pursuant to 775 ILCS 5/2-105(A)(4), the Project Sponsor certifies that it has a written sexual harassment policy that includes, at a minimum, the following information:

- 1) the illegality of sexual harassment;
- 2) the definition of sexual harassment under State law;
- 3) a description of sexual harassment utilizing examples;
- 4) the Contractor's internal complaint process including penalties;
- 5) the legal recourse, investigation and complaint process available through the Illinois Department of Human Rights and the Human Rights Commission and directions on how to contact both; and
- 6) protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act. A copy of the policy shall be provided to the Department of Human Rights upon request.

r) Program Violations and Project Termination

- 1) The State will unilaterally rescind project agreements at any

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time prior to the commencement of the project in the event that State funds are not appropriated for the grant program. After project commencement, agreements may be rescinded, modified or amended only by mutual agreement with the local political subdivision. A project shall be deemed to be commenced when the local political subdivision makes any expenditure or incurs any obligation with respect to the project.

- 2) Failure by the local sponsoring agency to comply with any of the above cited Program terms shall be cause for the suspension of all grant assistance obligations thereunder, unless, in the judgement of the Department, such failure was due to no fault of the local sponsoring agency (e.g., statutory changes, acts of God).

- 3) Land-acquired-with-funding-assistance-from-the-Illinois-Bicycle Path-Grant-program-shall-be-operated-and-maintained-in-perpetuity-for-public-bicycle-path-and-recreation-use.
- 4) For-development-projects-only, terms-of-the-contractual-agreement-between-the-local-agency-and-the-Department, under-the-Illinois Bicycle-Path-Grant-Program, shall no longer apply after-the-time period-established-below-relating-to-the-total-amount-of-grant funds-expended-to-aid-the-facility.

TOTAL-GRANT-AWARD

TIME-PERIOD-AFTER

FINAL-PROJECT-BIDDING

0---\$507000

5-years

for-every-\$107000

increment-over-\$507000

add-1-year

- 5) Conversion-of-property-acquired-or-developed-with-assistance-from-the-Illinois-Bicycle-Path-Grant-program--from--public--recreation and-bicycle-path-use-shall-result-in-the-local-sponsoring-agency being-held-liable-for-replacing-the-converted-property-with comparable-facilities-as-deemed-acceptable-by-the-Department-(see subsection-fa)).

(Source: Amended

MAR 3 1998

22 Ill. Reg.

4902

effective

Section 3040.80 Program Information/Contact

For information on the Illinois Bicycle Path Grant Program, contact:

Illinois Department of Natural Resources
Division of Grant Administration Technical Services-Grants-Section
Lincoln Tower Plaza
524 South Second Street
Springfield, IL 62701-1787

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Telephone: 217/782-7481

(Source: Amended, at 22 Ill. Reg. , effective

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Section 3040-APPENDIX A Project Evaluation Criteria

NEED - 35%
Population Served (proximity to high population areas)
Project of National, State, Regional or Local Significance
General - first trail in service area
Major expansion to existing trail system or significant additional trail in service area
Vital link between existing major trail systems
Addresses major safety issue
Identified in Trail Plan - State, Regional or Local Trail Plan (consideration also given to unique situations having public support, but no plan)

PHYSICAL CHARACTERISTICS OF TRAIL - 50% 45%
Overall trail length as well as specific project trail length
Environmental factors/trail attributes
Scenic quality
Connect with other recreational areas, schools
Unique cultural/natural resources along trail
Adjacent land uses compatible
Development problems associated with trail (negative)
Safety hazards (negative)
Multiple use (equestrian, snowmobiling) bonus
User amenities available (restrooms, water, etc.)
Continuity of trail ROW
Access to Trail (convenient - remote)
Other trail user amenities/opportunities (picnic, camping,

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shopping, etc.)

DEVELOPMENT PLAN - 2% 3%
ABILITY TO MAINTAIN - 3% 5%
OTHER CONSIDERATIONS/FACTORS - 10% 12%
(Land donation, serves minority population, inter-governmental cooperation ~~governmental-coop~~, safety concerns, economic/tourism benefits)
(Source: Amendment ~~44~~ at ~~3~~ 1986, Ill. Reg. ~~4~~ 1986, effective

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Section 3040. APPENDIX B Application Form (Repealed)

I-GENERAL INFORMATION

- A- Project-Sponsor: -----
(applicant)
- B- Project-Title: -----
- C- Project-Location: -----
(county) (township)
- D- Applicant's Name, Address and Telephone-Number: -----

- E- Applicant's Designated-Contact-Person: Name, Title, Address and Telephone-Number (must be available 8 a.m. to 5 p.m. Monday-Friday): -----

- F- Brief and Concise Description of Proposed Project (be sure to specify # of miles of trail): -----

- G- Type of Project: -----
(-) Acquisition (-) Development (-) Development involving land donation
- H- Estimated Project Costs: -----
Acquisition Costs, including appraisals (complete & attach BP/BGG-2)
Relocation Costs, if applicable (maximum \$15,000) -----
Development Costs (complete & attach BP/BGG-3)
TOTAL PROJECT COSTS -----

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GRANT FUNDS REQUESTED*

\$-----
(*up to 50% maximum)

- I- Sources of Local-Matching-Funds: -----
(-) General-Funds
(-) Non-Referendum-Bonds (-) Referendum-Bonds
(-) Donations (-) (specify): -----
(-) Other-Federal-or-State-Funds (specify below)
(-) Other (specify): -----
- J- Population within Applicant's Jurisdiction: -----
- K- Illinois-Legislative (Senate)-District: # -----
Illinois-Representative-District: # -----
- L- Applicant's Federal-Employer-Identification-Number (FEIN): -----
- M- List any other State or Federal Grant-Programs/Funds involved in the proposed project, previous or anticipated (list applicable project numbers and status): -----

- If non-check-box (-) -----
- N- Amount of other long-distance bicycle trails located within applicant's jurisdictional boundaries or which directly link or have potential to link with the proposed project trail (see also Attachment #1 - Project-Maps) -----
-----miles
- O- Will the project trail or ROW also be available for equestrian use? (-) yes (-) no
Snowmobile use? (-) yes (-) no
ATV use? (-) yes (-) no
- P- Provide a brief Narrative Statement and Environmental Evaluation (BP/BGG-4) of the project: -----
- Q- Provide a copy of local, regional or State Trail/Recreation Plan and/or excerpt(s) or reference(s) from such plan(s) which justifies/identifies the proposed project as a priority: -----
- R- PROJECT MAPS (no larger than 11x17) -----
Attachment #1 ----- Attach a county, township or city map

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showing--the--location--and--extent--of--the--project--trail--on--the--same--map--also--indicate--the--location--of--or--link--with--other--bicycle--trails--in--the--immediate--area.

Attach-a-detailed-Plot-Map-of-the-project-trail--ROW/property--indicating--dimensions--and--existing--location--of--utility/road--easements--etc.

Attach-a-Site-Development-Plan-for-the-project-trail.

Attachment #2

Attachment #3

iii.--COMPLAINT-CERTIFICATION-STATEMENT-AND-REQUIRED-SIGN-OFF-STATEMENTS

A: Complete--and--attach--the--Project--Certification-Statement--(BP/P00-5 form)

B: Complete-Standard-Form-424-(Application-for-Federal/State-Assistance--parts-3-5-6-7-and-11-12)--and--submit--copy--of--form--along--with--Narrative-Statement--(item-B)--and--Project-Maps--to:

1: State-Historic-Preservation-Agency
214-S-Sixth-Street
Springfield, IL-62701
Telephone--217/785-4993

2: State-and-Areawide-Clearinghouse
Illinois-State-Clearinghouse
Office-of-the-Governor
Room-302-State-Capitol
Springfield, IL-62706
Telephone--217/782-1671

Areawide-Clearinghouses

Area-#1: McHenry--Baker--Kane--DuPage--Cook--and--Will-Counties

Northeastern-Illinois-Planning-Commission
400-West-Madison
Chicago--IL-60606
Telephone--312/454-0400

Area-#2: Rock-Island--Henry--and--Mercer-Counties

Ill-State-Metropolitan-Planning-Commission
1504-Third-Avenue
Rock-Island--IL-61201

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Telephone--300-793-6300

Area-#3: Bureau--Stark--Marshall--and--Putnam-Counties

North-Central-Illinois-Council
of-Governments
P.O.-Box-206
Princeton--IL-61356
Telephone--815/875-3396

Kankakee-County

Area-#4:

Kankakee-County-Regional-Planning
Commission

470-East-Merchant
Kankakee--IL-60901
Telephone--815/937-2940

Henderson--Warren--Hancock--and--McDonough-Counties

Area-#5:

Western-Illinois-Regional-Council
223-South-Randolph
Macomb--IL-61455
Telephone--309/837-3941

Peoria--Woodford--and--Tazewell-Counties

Area-#6:

Put-County-Regional-Planning-Commission
P.O.-Box-2200
East-Peoria--IL-61611
Telephone--309/694-4391

McLean-County

Area-#7:

McLean-County-Regional-Planning-Commission
207-West-Jefferson-Street--Suite-201
Bloomington--IL-61701
Telephone--309/828-4331

Champaign-County

Area-#8:

Champaign-County-Regional-Planning
Commission
1303-North-Cunningham
Urbana--IL-61801
Telephone--217/328-3313

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Area #9:

Adams--Schuyler--Brown-and-Pike
Counties

Two-Rivers-Regional-Council-of-Public
Officials

Franklin-Square

Fourth-and-State-Streets

Quincy--IB--62301

Telephone--217/224-8171

Area #10:

Sangamon-County

Springfield--Sangamon-County-Regional
Planning-Commission

703-Myers-Building

#1-West-Old-State-Capitol-Plaza

Springfield--IB--62761

Telephone--217/525-2132

Area #11:

Macon-County

Macon-County-Regional-Planning-Commission

253-East-Wood-Street

Decatur--IB--62523

Telephone--217/423-6342

Area #12:

Calhoun--Greene--Jersey--Macoupin

Montgomery-and-Christian-Counties

West-Central-Illinois-Valley-Regional
Planning-Commission

P.O. Box-307

#16-South-Pike

Carlinville--IB--62626

Telephone--217/854-9642

Area #13:

Madison--Monroe-and-St.-Clair-Counties

East-West-Gateway-Coordinating
Council

911-Washington-Avenue

St.-Louis--Missouri--63101

Telephone--314/421-4220

Area #14:

Bond--Clinton-and-Washington-Counties

SW-Illinois-Metropolitan-and
Regional-Planning-Commission

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203-West-Main-Street

Collinsville--IB--62334

Telephone--618/344-4250

Area #15:

Payette--Bifingham-and-Marion-Counties

South-Central-Illinois-Regional
Planning-and-Development-Commission

Marion-County-Public-Service-Building

200-East-Schwartz

Selem--IB--62801

Telephone--618/548-4234

Area #16:

Perry--Jefferson--Franklin--Jackson-and
Williamson-Counties

Greater-Egypt-Regional-Planning-and
Development-Commission

P.O. Box-3160

Carbondale--IB--62901

Telephone--618/549-3306

Area #17:

Wayne--Edwards-and-White-Counties

Greater-Wabash-Regional-Planning
Commission

P.O. Box-153

Albion--IB--62806

Telephone--618-896-5372

Area #18:

Hamilton--Gallatin--Pope-and
Hardin-Counties

Southern-Illinois-Regional-Planning
and-Development-Commission

317-East-Poplar-Street--Suite-B

Harrisburg--IB--62946

Telephone--618/252-7463

Area #19:

Union--Johnson--Alexander--Pulaski-and
Massac-Counties

Southern-Five-Regional-Planning-Statette
and-Development-Commission

202-South-Street

Anna--IB--62906

Telephone-618/833-2106

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Section 3040.APPENDIX G Application For Federal/State Assistance (Repealed)

- 1- Type-of-Submission: Application { }-Construction
{ }-Non-Construction
Preapplication { }-Construction
{ }-Non-Construction
- 2- Date-Submitted:
Applicant-Identifier:
- 3- Date-Received-by-State:
State-Application-Identifier:
- 4- Date-Received-by-Federal-Agency:
Federal-Identifier:
- 5- Applicant-Information
Legal-Name:
Address:--(give-city, county, state and zip code)
Organizational-Unit:
Name-and-telephone-number-of-the-person-to-be-contacted-on
matters-involving-this-application-(give-area-code):
- 6- Employer-Identification-Number-(EIN):-----
- 7- Type-of-Applciant:--(enter-appropriate-letter-in-box-{ }
A:--State
B:--County
C:--Municipal
D:--Towship
E:--Interstate
F:--Intrastate
G:--Special-District
H:--Independent-School-District
I:--State-Controlled
Institution-of-Higher
Learning
J:--Private-University
K:--Indian-Tribe
L:--Individual
M:--Profit-Organization
N:--Other-(Specify)-----
- 8- Type-of-Application:--(}-New-{ }-Continuation-{ }-Revision
If-Revision, enter-appropriate-letters-in-boxes:--(}- { }
A:--Increase-Award
B:--Decrease-Award
C:--Increase-Duration
D:--Decrease-Duration
E:--Other-(specify):-----
- 9- Name-of-Federal-Agency:

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Section 3040.APPENDIX F Certification Statement (Repealed)

Sponsor:-----
Project-Title:-----
As-the-official-duly-designated-to-represent-the------(applicant),
I-do-hereby-certify-that-the-information-presented-in-this-grant-application-is
true-and-correct. I-do-further-certify-that-the-project-if-approved-for
financial-assistance-through-the-State-of-Illinois-Bicycle-Path-Grant-Program
will-be-completed-in-accordance-with-all-applicable-local-and-State-laws-and
that-the------(applicant)-has-the-financial-resources
to-initially-fund-100%-of-the-proposed-project-costs-within-the-timeframe
imposed-by-the-Bepartment-of-Natural-Resources-for-project-execution-prior-to
receiving-grant-reimbursement. It-is-understood-that-proposed-acquisition
projects-(excluding-those-involving-eminent-domain)-must-be-completed-within
nine-(9)-months-and-proposed-development-projects-completed-within-18-months
following-project-approval-by-the-completed-within-18-months-following-project
approval-by-the-Bepartment-of-Natural-Resources. Failure-to-comply-with-the
specified-project-execution-timeframe-could-be-cause-for-project-termination.
On-March-4, 1991, (applicant)-does-hereby-further-certify-that-it-will
indemnify, protect-and-hold-harmless-the-State-of-Illinois-Bepartment-of
Natural-Resources-and-its-representatives-from-any-and-all-liabilities-costs
damages-or-claims-arising-as-a-direct-or-indirect-result-of-the-construction
operation-or-maintenance-of-the-above-referenced-project-and-that-the-proposed
facility-will-be-operated-and-maintained-in-an-attractive-and-safe-manner-and
open-and-available-to-the-public-without-regard-to-race, color, sex, national
origin, age-or-disability.

This-Certification-Statement-was-duly-considered-and-acted-upon-and-adopted-by
the------(applicant)-at-a-legal-meeting-held-on-the-----
-----day-of-----, 19-----.

Name-(printed/typed)

Signature
Title

(Source: Repealed at 22 Ill. Reg. _____, effective
4/12/83)

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Heading of the Part: Sport Fishing Regulations for the Waters of Illinois

Code Citation: 17 Ill. Adm. Code 810

Section Numbers: Adopted Action:

- 810.35 Amendments
 810.37 Amendments
 810.45 Amendments
 810.50 Amendments
 810.70 Amendments
 810.90 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5]

5) Effective Date of Rulemaking: March 2, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date filed in Agency's Principal Office: March 2, 1998

9) Notice of Proposal Published in Illinois Register: December 5, 1997, 21 Ill. Reg. 15309

Has JCAR issued a Statement of Objections to these rules? No

Difference(s) between proposal and final version:

Section 810.35(b) - changed to read as follows:

No fish species may be dressed (fileted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed ~~on the waters~~ while taking from, or on, any waters to which length limits and/or daily catch limits apply. While taking from areas designated as "Catch and Release Only", all catch and release species must be immediately released back into the waters from which taken.

on 810.37(b)(39) - changed to read as follows:

shall be closed to boat traffic from October 1 to

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February 15, except for legal waterfowl hunters, from one week prior to regular waterfowl season to February 15, and closed to all unauthorized entry during the waterfowl regular Canada goose and duck season.

Section 810.37(b)(41) - subsection added:

It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 7 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.

Section 810.45 - Braidwood Lake - Deleted "(33)"; added "(41)" in its place; deleted "2 weeks" and added "10 days" in its place

Section 810.45 - Heidecke Lake - Deleted "(33)" and added "(41)" in its place; deleted "shall" and added "Heidecke Lake shall" in its place; deleted "2 weeks" and added "10 days" in its place

Section 810.45 - Powerton Lake - Deleted "shall" and added "Powerton Lake shall" in its place; deleted "October 1 to February 15" and added "one week prior to regular waterfowl season to February 15" in its place

Section 810.50(a)(2) - added "Each entrance aperture may not exceed 1.5 inches in diameter" following "bar measurement."

Section 810.90(a)(2) - replaced "five (5)" with "5"

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Amendments were made to this Part to change statewide catch and size limits, change individual site specific fishing regulations by fish species or group, update bait fishing regulations and identify the dates of the 1988 "Free Fishing Days".

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
 Department of Natural Resources

DEPARTMENT OF NATURAL RESOURCES

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524 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section

- 810.10 Sale of Fish and Fishing Seasons
 - 810.20 Snagging
 - 810.30 Pole and Line Fishing Only (Repealed)
 - 810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits
 - 810.37 Definitions for Site Specific Sportfishing Regulations
 - 810.40 Daily Catch and Size Limits (Repealed)
 - 810.45 Site Specific Water Area Regulations
 - 810.50 Bait Fishing
 - 810.60 Bullfrogs (Repealed)
 - 810.70 Free Fishing Days
 - 810.80 Emergency Protective Regulations
 - 810.90 Fishing Tournament Permit
 - 810.100 Bed Protection
- AUTHORITY:** Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5].

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified as Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 741, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendment at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 13 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118,

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Section 810.35 Statewide Sportfishing Regulations - Daily Catch and Size Limits

- 1) CHANNEL CATFISH
There are no daily catch or size limits except in those waters listed under Site Specific Regulations.
- 2) LARGEMOUTH BASS, SMALLMOUTH BASS, SPOTTED BASS

Life is prohibited.
BIES (ROUND, tubenose)
There are no catch or size limits. Possession of living gobies

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is prohibited.

11) RUSTY CRAYFISH

Possession of living rusty crayfish is prohibited for all except the holders of an approved aquaculture permit with a letter of authorization to import/possess this species.

12) RUDD

There are no catch or size limits. Possession of living rudd is prohibited.

(Source: Amended at 22 Ill. Reg. 10.17 effective
MAR 2 1998)

Section 810.37 Definitions for Site Specific Sportfishing Regulations

a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the county(ies) listed. The county(ies) listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.

b) The subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis which explain all of the definitions in this Section which apply to that water area.

- 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached while fishing, except that legal size cast nets, (in accordance with subsection 810.50(a)(1)) shad scoops, and minnow seines may be used to obtain shad, minnows, and crayfish to use as bait, provided that they are not sold.
- 2) Possession of yellow perch under 8 inches in total length or over 10 inches in total length is prohibited. Only yellow perch 8 to 10 inches in total length may be harvested.
- 3) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 15 inches in total length.
- 4) Except that sport fishermen shall be allowed to use trotlines and jugs, and except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with

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portable weights and must be removed on the last day they are used. The taking of carp and buffalo with bow and arrow is permissible.

5) Except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.

6) Including the Fox River south of the Illinois-Wisconsin line to the McHenry Dam.

7) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.

8) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass either singly or in the aggregate.

9) Catch and Release Fishing Only means that fish (all or identified species) caught must be immediately released alive and in good condition back into the water from which it came.

10) It shall be illegal to process trout during the period of October 1 to 5 a.m. on the third Saturday in October (both dates inclusive) which were taken during that period.

11) It shall be illegal to possess trout during the period of March 15 to 5 a.m. on the 1st Saturday in April (both dates inclusive) which were taken during that period.

12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than 12 inches and less than or equal to 15 inches in length.

13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that carp and buffalo may be taken by bow and arrow devices from May 1 through September 30. All jugs must have owner's/user's name and complete address affixed.

14) Daily catch limit includes all fish species (either singly or in the aggregate) caught within each of the following fish groupings.

A) Largemouth or Smallmouth Bass

B) Walleye, Sauger, or their hybrid

C) Bluegill or Redear Sunfish

15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.

16) Daily catch limit includes Striped Bass, White Bass and Hybrid Striped Bass either singly or in the aggregate.

17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.

18) Except that sport fishermen shall be allowed to use trout lines, jugs and bank poles in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell Bridge.

19) No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed

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sites.

- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton, and Fayette Counties.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries), U.S. Army Corps of Engineers, Shelby and Moultrie Counties.
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties.
- 23) Lake Vermillion and the portion of the North Fork of the Vermillion River between the Lake Vermillion Dam and the Interstate Water Company's Pump Station Spillway, Vermillion County Conservation District, Vermillion County.
- 24) 10 Fish Daily Creel Limit of which no more than 6 may be walleye.
- 25) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish per day, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.
- 26) Lake Vermillion - Trot line and jug finishing allowed north of Boiling Springs Road.
- 27) Except that bank fishing is prohibited. Boat fishing is permitted from the next to last Saturday in April until the second Sunday in October, during the hours of 6:00 a.m. to 10:00 a.m. and 3:00 p.m. to 8:00 p.m.
- 28) Except that trotlines may be set within 300 feet from shore.
- 29) Except that carp, buffalo, suckers and carsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.
- 32) Daily catch limit includes Striped Bass, White Bass, Yellow Bass and Hybrid Striped Bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.
- 33) It shall be unlawful to enter upon a designated waterfowl hunting area during the 7 days prior to the regular duck ~~waterfowl~~ season, or to fish on such areas during the regular duck ~~waterfowl~~ season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl

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rest areas or refuges from 2 weeks prior to the start of the regular duck ~~waterfowl~~ season through the end of duck and Canada goose ~~waterfowl~~ season.

- 34) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1 through August 31.
- 35) Daily catch limit for Walleye, Sauger, or Hybrid Walleye, singly or in the aggregate, shall not exceed 3 fish daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.
- 36) Except that sportfishermen may not use a minnow seine for bait collecting in Cook County Forest Preserve District Waters (except in the Des Plaines River).
- 37) All largemouth and smallmouth bass taken must be less than 12 inches in total length or greater than 16 inches in total length. Only 1 bass greater than 16 inches and 2 bass less than 12 inches may be taken in the creel daily.
- 38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.
- 39) Powerton Lake shall be closed to boat traffic, ~~from October 1 to February 15~~ except for legal waterfowl hunters, ~~from one week prior to regular waterfowl season to February 15~~, and closed to all unauthorized entry during the regular Canada goose and duck ~~waterfowl~~ season.
- 40) The 48 inch total length limit on pure muskellunge applies to that body of water listed as well any tailwaters as defined below:

Evergreen Lake (McLean County) - including the portion of Six Mile Creek below the Evergreen Lake Dam downstream to its confluence with the Mackinaw River.

Fox Chain O' Lakes (Lake/McHenry Counties) - including those portions of the Fox River below the McHenry Dam downstream to the Route 176 Bridge and upstream to the Wisconsin - Illinois State line.

Kinkaid Lake (Jackson County) - including the portion of Kinkaid Creek below the Kinkaid Lake Dam downstream to the Route 149 Bridge.

Lake Shelbyville (Moultrie/Shelby Counties) - including the portion of the Kaskaskia River below the Lake Shelbyville Dam downstream to the State Route 128 Road Bridge near Cowden.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Vermilion (Vermilion County) - including the portion of the North Fork of the Vermilion River below the Lake Vermilion Dam downstream to its confluence with the Vermilion River.

Otter Lake (Macoupin County) - including the portion of Otter Creek below Otter Lake Dam downstream to its confluence with East Otter Creek.

Pierce Lake (Winnebago County) - including the portion of Willow Creek below the Pierce Lake Dam downstream to Forest Hills Road.

Shabbona Lake (DeKalb County) - including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

- Spring Lakes (North and South) (Tazewell County) - no tailwaters.
- 41) It shall be unlawful to enter upon areas designated as waterfowl hunting areas during the 7 days prior to the start of the regular duck season, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 10 days prior to the start of the regular duck season through the end of duck and Canada goose season.

(Source: Amended ~~Mar 2 1932~~ ^{Mar 2 1936} Ill. Reg. _____, effective _____)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.

Allison Lake, City of Lincoln
Logan County

All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Anderson Lake Fish and Wildlife Area (33)
Fulton County

Andover Lake, City of Andover
Henry County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Apple River
Jo Daviess County
Trout

- Spring Closed Season (11)

Apple River Basin - Special Management Zone (within the boundaries of Apple River Canyon State Park, including tributaries)

All Fish
Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit

Argyle Lake, Argyle Lake State Park
McDonough County

All Fish
Bluegill or Redear
Sunfish (14)

- 2 Pole and Line Fishing Only (1)

Channel Catfish
Large or Smallmouth Bass (14)

- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 1 Fish more than 15" and/or 5 less than 12" Daily (12)
- Fall Closed Season (10)
- 14" Minimum Length Limit

Trout

Walleye-Sauger-or-Hybrid

Walleye

White, Black, or Hybrid

Crappie (15)

White, Black, or Hybrid

Crappie

- 10 Fish Daily Creel Limit

- 9" Minimum Length Limit

Ashland City Reservoir, City of Ashland
Cass County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Ashley Reservoir, City of Ashley

Washington County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length

Auburn Park Lagoon, Chicago Park District
Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Axehead Lake, Cook County Forest Preserve
Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 36)

Large or Smallmouth Bass

- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Trout
Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

Baker Lake, City of Peru
LaSalle County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14)
- 6 Fish Daily Creel Limit
Channel Catfish
- 14" Minimum Length Limit
Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
Large or Smallmouth Bass (14)

Baldwin Lake, Baldwin Lake Conservation Area

Randolph County
All Fish

- 2 Pole and Line Fishing Only (1)(5)
- 18" Minimum Length Limit
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
- 17" Minimum Length Limit
Striped, White, or Hybrid
- 3 Fish Daily Creel Limit
Striped Bass (16)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit
Crappie

Banana Lake, Lake County Forest Preserve District
Lake County

- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
Large or Smallmouth Bass
- 15" Minimum Length Limit
Trout
- Fall Closed Season (10)
- Spring Closed Season (11)
Trout

Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)
Pecunia/Fulton Counties

- All Fish
- 2 Pole and Line Fishing Only (1)(34)
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
Large or Smallmouth Bass
- 14" Minimum Length Limit
~~Walleye, Sauger, or Hybrid~~
~~Walleye~~
- 14" Minimum Length Limit
White, Black, or Hybrid
- 25 Fish Daily Creel Limit
Crappie (15)
White, Black, or Hybrid
- 9" Minimum Length Limit
Crappie

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Batchtown Wildlife Management Area (33)
Calhoun County

Baumann Park Lake, City of Cherry
Valley
Winnebago County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
Channel Catfish
- 14" Minimum Length Limit
Large or Smallmouth Bass
- 1 Fish Daily Creel Limit
Large or Smallmouth Bass (14)

Beall Woods Lake, Beall Woods Conservation Area

Wabash County

- All Fish
- 2 Pole and Line Fishing Only (1)
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 15" Minimum Length Limit
Trout
- Spring Closed Season (11)
Trout
- Fall Closed Season (10)

Beaver Dam Lake, Beaver Dam State Park

Macoupin County

- All Fish
- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)
- 25 Fish Daily Creel Limit
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 15" Minimum Length Limit
Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit
Trout
- Fall Closed Season (10)
White, Black, or Hybrid
Crappie (15)
- 10 Fish Daily Creel Limit
White, Black, or Hybrid
- 9" Minimum Length Limit
Crappie

Beck Lake, Cook County Forest Preserve District
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)(36)
Channel Catfish
- 6 Fish Daily Creel Limit
Large or Smallmouth Bass
- 14" Minimum Length Limit
Walleye, Sauger, or Hybrid
Walleye
- 18" Minimum Length Limit

Belk Park Pond, City of Wood River

Madison County

- Channel Catfish
- 6 Fish Daily Creel Limit

Belleau Lake, Cook County Forest Preserve District
Cook County

- All Fish
- 2 Pole and Line Fishing Only (36)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass
Trout
Trout

Bevier Lagoon, Waukegan Park District

Lake County

All Fish
Channel Catfish

Bird Park Quarry, City of Kankakee

Kankakee County

Trout
Trout

Bowen Lake, City of Washington

Tazewell County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Borah Lake, City of Olney

Richland County

All Fish
Channel Catfish
Large or Smallmouth Bass

Boston Pond, Stephen A. Forbes State Park

Marion County

Trout
Trout

Braidwood Lake State Fish and Wildlife Area (41) †33†

Will County

(Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days 2-weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season)

All Fish

Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)

Waukegan-Sauger-or-Hybrid

- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Walleye
White, Black, or Hybrid
Crappie (15)

--14" Minimum Length Limit
- 10 Fish Daily Creel Limit

Breeze JC's Park Pond, City of Breeze

Clinton County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Buckner City Reservoir, City of Buckner

Franklin County

All Fish
Channel Catfish
Large or Smallmouth Bass

Bunker Hill Lake, City of Bunker Hill

Macoupin County

All Fish
Channel Catfish

Burrells Wood Park Pond

White County

Channel Catfish

Busse Lake, Cook County Forest Preserve

Cook County

All Fish
Channel Catfish
Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye

Cache River State Natural Area (19)

Pulaski/Johnson Counties

Calhoun Point Wildlife Management Area (33)

Calhoun County

Calumet River

Cook County

Yellow Perch
Yellow Perch

- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch under 8" or over 10" is prohibited

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Yellow Perch
- Closed During June

Campbell Pond Wildlife Management Area (19)
Jackson County

Campus Lake - Southern Illinois University, State of Illinois
Jackson County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Campus Pond - Eastern Illinois University, State of Illinois
Coles County
All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Canton Lake, City of Canton
Fulton County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale
Jackson County
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Carlyle Lake, U.S. Army Corps of Engineers (20) (33)
Clinton County
Large or Smallmouth Bass
White, Black, or Hybrid
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 14" Minimum Length Limit
- 10 Fish Daily Creel Limit
- 10" Minimum Length Limit

Carthage Lake, City of Carthage
Hancock County
Channel Catfish
- 6 Fish Daily Creel Limit

Cedar Lake, U.S. Forest Service and
City of Carbondale
All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(5)
Large or Smallmouth Bass
- 14"-18" Protected Slot Length Limit (no possession)
- 2 Fish Under 14" and 2 Fish Over 18" Daily Creel Limit

Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
Waiteye, Sauger, or Hybrid
Waiteye
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 14" Minimum Length Limit

Centralia Foundation Park Catfish Pond, Centralia Park Foundation
Marion County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Centralia Lake, City of Centralia
Marion County
Large or Smallmouth Bass
- 15" Minimum Length Limit

Cermack Quarry, Cook County Forest Preserve District
Cook County
All Fish
- 2 Pole and Line Fishing Only (1)(36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Channel Catfish
Large or Smallmouth Bass
- 14" Minimum Length Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Charleston Lower Channel Lake, City of Charleston
Coles County
All Fish
- 2 Pole and Line Fishing Only (1)

Charleston Side Channel Lake, City of Charleston
Coles County
All Fish
Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Striped, White, or Hybrid
Striped Bass (16)

- 3 Fish Daily Creel Limit

Charlie Brown Lake & Pond, City of Flora
Clay County

All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
14" Minimum Length Limit

Chatter Oak North - Peoria Park District Lake, Peoria Park District
Peoria County

All Fish
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Charter Oak South - Peoria Park District Pond, Peoria Park District
Peoria County

All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
2 Pole and Line Fishing Only (1)
6 Fish Daily Creel Limit
15" Minimum Length Limit
1 Fish Daily Creel Limit

Hancey Marsh (14)
Lawrence County

Chicago River (including its North Branch, South Branch, and the North Shore
Cook County)

Yellow Perch
Yellow Perch
- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length
Limit (2) - Possession of Yellow
Perch Under 8" or over 10" is
Prohibited
- Closed During June

Chenoa Lake, City of Chenoa
McLean County

All Fish
- 2 Pole and Line Fishing Only (1)

Citizen's Lake, City of Monmouth
Warren County

All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)
Trout
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)

Clear Lake, Kickapoo State Park
Vermillion County

All Fish
Channel Catfish
Trout
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Spring Closed Season (11)

Clinton Lake, Clinton Lake State Recreation Area (19)
DeWitt County

All Fish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
Walleye-or-Sauger
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
- 2 Pole and Line Fishing
Only (1)(18)
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 4" Minimum Length Limit
- 15 Fish Daily Creel Limit
- 9" Minimum Length Limit

Coffee Lake, Coffee Lake State Fish and Wildlife Area
Montgomery County

Large or Smallmouth Bass
Large or Smallmouth Bass (14)
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Coles County Airport Lake, Coles County Airport
Coles County

All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois
Whiteside County

Trout
Trout
- Fall Closed Season (10)
- Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Columbus Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Cook Co. F.P.D. Lakes, Cook County Forest Preserve District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit

Coulterville City Lake, City of Coulterville
Randolph County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Crab Orchard National Wildlife Refuge - Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish - 2 Pole and Line Fishing Only (1)(4)
Striped, White, or Hybrid - 10 Creel/3 Fish 17" or Longer Daily
Striped Bass (16) (17)
Large or Smallmouth Bass - 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge - Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish - 2 Pole and Line Fishing Only (1)

Crab Orchard National Wildlife Refuge - Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Crab Orchard National Wildlife Refuge. Refuge Ponds (except Visitor Pond), U.S. Fish and Wildlife Service
Williamson County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 15" Minimum Length Limit

Crab Orchard National Wildlife Refuge. Visitor Pond, U.S. Fish and Wildlife Service
Williamson County
All Fish (30) - 2 Pole and Line Fishing Only (1)
(5)
Large or Smallmouth Bass - 21" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Crawford Co. Cons. Area - Picnic Pond, Crawford County Conservation Area
Crawford County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Trout - Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
Crawford County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit

Crull Impoundment Wildlife Management Area (33)
Jersey County

Crystal Lake, Urbana Park District
Champaign County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Dawson Lake & Park Ponds, Moraine View State Park
McLean County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
~~Walleye-Sauger, or Hybrid~~
~~Walleye~~ - 14" Minimum Length Limit
Walleye, Sauger, or Hybrid - 3 Fish Daily Creel Limit
Walleye (14) - 9" Minimum Length Limit
White, Black or Hybrid Crappie
White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur
Macon County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Deep Pit Lake, Boone County Conservation District
Boone County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Defiance Lake, Moraine Hills State Park
McHenry County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Des Plaines River Basin - Special Management Zone (Hoffman Dam to 47th Street Bridge, including tributaries)
Cook County
Channel Catfish
Channel Catfish
Large or Smallmouth Bass
Northern Pike
Northern Pike
White, Black or Hybrid
Crappie (15)
Walleye, Sauger, or Hybrid Walleye
Walleye, Sauger, or Hybrid Walleye (14)
- 15" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Catch and Release Only - No Harvest Permitted (9)
- 30" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 10 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Des Plaines River Conservation Area (19)
Will County
- Dog Island Wildlife Management Area (19)
Pope County
- Dolan Lake, Hamilton County Conservation Area
Hamilton County
All Fish
Channel Catfish
Large or Smallmouth Bass
Walleye-Sauger-or-Hybrid
Walleye
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
--14"-Minimum-length-limit
- Donnelley State Wildlife Area (33)
Bureau County
- Douglas Park Lagoon, Chicago Park District
Cook County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- DuPage County Forest Preserve District Lakes and Ponds, DuPage County Forest Preserve District
DuPage County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- DuPage River - West Branch (between the dams located in the McDowell Grove Forest Preserve and the Warrenville Grove Forest Preserve)
DuPage County
Large or Smallmouth Bass
- Catch and Release Fishing Only (9)
- East Fork Lake, City of Olney
Richland County
All Fish
Channel Catfish
Large or Smallmouth Bass
Walleye-Sauger-or-Hybrid
Walleye
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
--14"-Minimum-length-limit
- 25 Fish Daily Creel Limit
- Eldon Hazlet State Park (19) (See Also Carlyle Lake)
Clinton County
- Elliott Lake, Wheaton Park District
DuPage County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Evergreen Lake, City of Bloomington
McLean County
All Fish
Large or Smallmouth Bass
Pure Muskellunge
Walleye-Sauger-or-Hybrid
Walleye
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 48" Minimum Length Limit (40)
--14"-Minimum-length-limit
- 25 Fish Daily Creel Limit
- Faries Park Pond, City of Decatur
Macon County
Trout
- Fall Closed Season (10)
- Ferne Clyffe Lake, Ferne Clyffe State Park
Johnson County
All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
 Flatfoot Lake, Cook County Forest Preserve District
 Cook County
 All Fish - 2 Pole and Line
 Channel Catfish Fishing Only (1)(36)
 Large or Smallmouth Bass - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 Poli Park Pond, Village of Plano
 Kendall County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Forbes State Lake, Stephen A. Forbes State Park
 Marion County
 Striped, White, or Hybrid - 17" Minimum Length Limit
 Striped Bass
 Striped, White, or Hybrid - 3 Fish Daily Creel Limit
 Striped Bass (16)
 Walleye-Sauger, or Hybrid - 14" Minimum Length Limit
 Walleye
 Forbes State Park Ponds, Stephen A. Forbes State Park
 Marion County
 All Fish - 2 Pole and Line Fishing Only (1)(5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Forest Park Lagoon, City of Shelbyville
 Shelby County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
 Fort de Chartres Historic Site (19)
 Randolph County
 Four Lakes, Winnebago County Forest Preserve
 Winnebago County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Large or Smallmouth Bass (14)
 - 1 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Fox Chain O'Lakes (including the Fox River south of the Wisconsin-Illinois boundary to the McHenry Dam) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
 Lake and McHenry Counties
 Large or Smallmouth Bass - 14" Minimum Length Limit (6)
 Pure Muskellunge - 48" Minimum Length Limit (40)
 Walleye, Sauger, or Hybrid - 14" Minimum Length Limit
 Walleye with an 18-24" Protected Slot Length Limit (no possession) (6)
 Walleye, Sauger, or Hybrid - 2 Fish >or=14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)
 Fox Ridge State Park (19)
 Coles County
 Fox River Basin - Special Management Zone (North Aurora Dam to Montgomery Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Fox River Basin - Special Management Zone (South Elgin Dam to North Aurora Dam, including tributaries)
 Kane County
 Large or Smallmouth Bass - Catch and Release Only - No Harvest Permitted (9)
 Frank Holten Lakes, Frank Holten State Park
 St. Clair County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
 Franklin Creek (within the boundaries of Franklin Creek State Natural Area)
 Lee County
 All Fish - 2 Pole and Line Fishing Only (1)(9)
 Fuller Lake (19)
 Calhoun County
 Fulton County Camping and Recreation Area Waters, Fulton County Board
 Fulton County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Blue gill or Redear
- Sunfish (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12"-15" Protected Slot Length Limit (no possession)
- 3 Fish Daily Creel Limit
- 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District
Lake County

- All Fish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Walleye, Sauger, or Hybrid Walleye
- 2 Pole and Line Fishing Only (1)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 16" Minimum Length Limit

Gale Lake, Village of East Galesburg
Knox County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Gebhard Woods Ponds, Gebhard Woods State Park
Grundy County

- All Fish
- Channel Catfish
- Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)

Giant City Park Ponds, Giant City State Park
Jackson and Union Counties

- Largemouth and Spotted Bass
- 15" Minimum Length Limit

Gillespie New City Lake, City of Gillespie
Macoupin County

- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

Gillespie Old City Lake, City of Gillespie

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Macoupin County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Glades - 12 Mile Island Wildlife Management Area (33)
Jersey CountyGladstone Lake, Henderson County Conservation Area
Henderson County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

Glen Oak Park Lagoon, Peoria Park District
Peoria County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Glen Shoals Lake, City of Hillsboro
Montgomery County

- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Striped, White, or Hybrid Striped Bass
- Striped, White, or Hybrid Striped Bass (16)
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Godar-Diamond/Hurricane Island Wildlife Management Area (33)
Calhoun CountyGompers Park Lagoon, Chicago Park District
Cook County

- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Gordon F. More Park Lake, City of Alton
Madison County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Governor Bond Lake, City of Greenville

Bond County

All Fish

- 2 Pole and Line Fishing

Only (1) (5)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 3 Fish Daily Creel Limit

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Striped, White, or Hybrid

Striped Bass

Striped, White, or Hybrid

Striped Bass (16)

Grayslake Park District (Grayslake and Park Ponds)

Lake County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Greenfield City Lake, City of Greenfield

Greene County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

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Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Heidecke Lake, Heidecke Lake State Fish and Wildlife Area

Grundy County (41) (33)

(Heidecke Lake shall ~~be~~ be closed to all fishing and boat traffic except for

legal waterfowl hunters from 10 days 2-weeks prior to duck season through the

day before duck season and is closed to all fishing during waterfowl season

commencing with regular duck season through the close of the Canada goose and

regular duck season ~~until the close of waterfowl season~~

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

Striped, White, or Hybrid

Striped Bass (16)

- 10 Creel/3 Fish 17" or Longer

Daily (17)

Walleye, Sauger, or Hybrid

Walleye

Walleye, Sauger, or Hybrid

Walleye (14)

- 3 Fish Daily Creel Limit

Helmhold Slough (19)

Calhoun County

Hennepin Canal-Mainline & Feeder, Hennepin Canal Parkway State Park

Multiple Counties

All Fish

- 2 Pole and Line Fishing

Only (1)(13)

- 14" Minimum Length Limit

- Fall Closed Season (10)

- Spring Closed Season (11)

Walleye-Sauger or Hybrid

Walleye

--14"-Minimum-Length-Limit

Hidden Springs State Forest Ponds, Hidden Springs State Forest

Shelby County

All Fish

Bluegill or Redear

Sunfish (14)

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass

Large or Smallmouth Bass

Highland Old City Lake, City of Highland

Madison County

All Fish

Channel Catfish

Trout

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- Fall Closed Season (10)

Hillsboro Old City Lake, City of Hillsboro

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Montgomery County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Homer Lake, Champaign County Forest Preserve District
 Champaign County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Hornel Pond, Donnelly State Fish and Wildlife Area
 Bureau County
 All Fish - 2 Pole and Line Fishing Only (1)(5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Horseshoe Lake-Alexander Co., Horseshoe Lake Conservation Area
 Alexander County
 (Only trolling motors in refuge from October 5-March 1)
 All Fish - 2 Pole and Line Fishing Only (1)
 (5)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Horseshoe Lake-Madison County, Horseshoe Lake State Park (33)
 Madison County
 All Fish - 2 Pole and Line Fishing Only
 (1)(28)(34)
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
 White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- Horton Lake, Nauvoo State Park
 Hancock County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Hulit Park Big Lake, Canton Park District
 Fulton County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Humbolt Park Lagoon, Chicago Park District

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Illinois & Michigan Canal, State of Illinois
 Grundy/LaSalle/Will Counties
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Illinois Beach State Park Ponds, Illinois Beach State Park
 Lake County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Illinois Department of Transportation Lake, State of Illinois
 Sangamon County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 15" Minimum Length Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)
- Illinois River - Pool 26 (19)
 Calhoun County
- Indian Boundary South Pond, Frankfort Square Park District
 Will County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Jackson Park (Columbia Basin) Lagoon, Chicago Park District
 Cook County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
- Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
 Henry County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Large or Smallmouth Bass - 14" Minimum Length Limit
- Jones Park Lake, City of East St. Louis
 St. Clair County
 All Fish - 2 Pole and Line Fishing Only (1)
 Channel Catfish - 6 Fish Daily Creel Limit
 Trout - Fall Closed Season (10)
 Trout - Spring Closed Season (11)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Jones State Lake, Saline County Conservation Area

- Saline County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass
 - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14"-18" Protected Slot Length Limit (no possession) (38)
 - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jones Lake Trout Pond, Saline County Conservation Area

- Saline County
- Trout
 - Fall Closed Season (10)

Jubilee College State Park Ponds,
Jubilee College State Park
Peoria County

- Peoria County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Kankakee River Basin - Special Management Zone (Wilmington Dam to the Mouth of the Kankakee River, including tributaries)
Willi/Grundy Counties

- Willi/Grundy Counties
- Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 12" - 16" Protected Slot Length Limit (no possession) (37)
 - 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Kankakee River Basin - Special Management Zone (Kankakee Dam to the Wilmington Dam, including tributaries)

- Kankakee/Will Counties
- Large or Smallmouth Bass
 - Large or Smallmouth Bass
 - 14" Minimum Length Limit
 - Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)

Kankakee River State Park (19)

Kankakee/Will Counties

Kankakee River and all tributaries - State of Illinois

- Will County
- Waiteye, Sauger or Hybrid
 - Waiteye
 - 14" Minimum Length Limit

Kankakee River Fish and Wildlife Area (19)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

St. Clair/Randolph/Monroe Counties

- Kankakee River Fish and Wildlife Area - Doza Creek Wildlife Management Area (33)
- St. Clair County
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Kendall Co. Lake #1, Kendall County Forest Preserve District

- Kendall County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Kent Creek

Winnebago County

- Trout
- Spring Closed Season (11)

Kickapoo State Park Lakes & Ponds, Kickapoo State Park

- Vermilion County
- All Fish
 - Channel Catfish
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area (19)

- Jackson County
- Large or Smallmouth Bass
 - Large or Smallmouth Bass (14)
 - Large or Smallmouth Bass
 - Large or Smallmouth Bass
 - Bass (14)
 - Pure Muskellunge
 - Waiteye, Sauger or Hybrid
 - Waiteye
 - 12" - 16" Protected Slot Length Limit (no possession)
 - 2 Fish under 12" and 2 Fish over 16" Daily Creel Limit
 - 3 Fish Daily Creel Limit
 - 48" Minimum Length Limit (40)
 - 14" Minimum Length Limit

Lake Atwood, McHenry County Conservation District

- McHenry County
- All Fish
 - Channel Catfish
 - Trout
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - Spring Closed Season (11)

Lake Bloomington, City of Bloomington

- McLean County
- All Fish
 - Large or Smallmouth Bass
 - 2 Pole and Line Fishing Only (1)
 - 15" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- Walleye-Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)

Lake Carlton, Morrison-Rockwood State Park
Whiteside County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye-Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)

Lake Co. Forest Preserve District Lakes, Lake County Forest Preserve District
Lake County

- All Fish
 - Channel Catfish
 - Large Smallmouth Bass (14)
 - Large or Smallmouth Bass
- Lake Decatur, City of Decatur
Macon County
- All Fish
 - Large or Smallmouth Bass
 - Walleye-Sauger, or Hybrid
 - Walleye

Lake Depue Fish and Wildlife Area (33)
Bureau County

Lake Eureka, City of Eureka
Woodford County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)

Lake George, Loud Thunder Forest Preserve
Rock Island County

- All Fish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye-Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)

Lake Jacksonville, City of Jacksonville
Morgan County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie

Lake Kakusha, City of Mendota
LaSalle County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- White, Black, or Hybrid
- Crappie (15)

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass (14)
- Large or Smallmouth Bass
- Walleye-Sauger, or Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)

Lake Mendota, City of Mendota
LaSalle County

- All Fish
- Channel Catfish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Large or Smallmouth Bass (14) - 1 Fish >or=15" &/or 2 < 12" Daily (31)
- Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties
Trout and Salmon
Trout and Salmon
- Lake Trout
Yellow Perch
Yellow Perch
- 10" Minimum Length Limit
- no more than 5 fish of any one species daily, except for Lake Trout
- 2 Fish Daily Creel Limit
- 15 Fish Daily Creel Limit
- 8" to 10" Harvest Slot Length Limit (2) - Possession of Yellow Perch Under 8" or over 10" is prohibited; Taking of yellow perch from charter boats is prohibited
- Closed During June
- Catch and Release Fishing Only (no possession) (9)
- Yellow Perch
Large or Smallmouth Bass (14)
- Lake Milliken, Des Plaines Conservation Area
Will County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Spring Closed Season (11)
- Lake Mingo & Kennekuk Cove Park Ponds, Vermilion County Conservation Area
Vermilion County
- All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Walleye-Sauger-or-Hybrid
Walleye
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 14"-Minimum-length-limit
- Lake Murphysboro, Lake Murphysboro State Park
Jackson County
- All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit
- Lake Nellie, City of St. Elmo
Payette County
- All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish
Large or Smallmouth Bass
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District
Champaign County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Spring Closed Season (11)
- Lake Olson, Rock Cut State Park
Winnebago County
- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- Lake Owen, Hazel Crest Park District
Cook County
- All Fish
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Lake Paradise, City of Mattoon
Coles County
- All Fish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- Lake Paradise Shadow Ponds, City of Mattoon
Coles County
- All Fish
Large or Smallmouth Bass
Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 6 Fish Daily Creel Limit
- Lake Sara, City of Effingham
Effingham County
- Large or Smallmouth Bass
Walleye-Sauger-or-Hybrid
Walleye
White, Black, or Hybrid
Crappie (15)
- 14" Minimum Length Limit
- 14"-Minimum-length-limit
- 25 Fish Daily Creel Limit
- Lake Shelbyville (21), U.S. Army Corps of Engineers
Moultrie/Shelby Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

(During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad Bridge from one-half hour before sunrise to 1 p.m.)

- Large or Smallmouth Bass
- 14" Minimum Length Limit
- 48" Minimum Length Limit (40)

Walleye-Sauger--or-Hybrid**Walleye**

- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie

Lake Shelbyville - Project Ponds & Woods Lake, Lake Shelbyville State Fish and Wildlife Area (33)

Moultrie/Shelby Counties

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)

Lake Sinissippi (19)

Whiteside County

Lake Springfield, City of Springfield

Sangamon County

- All Fish
- Large or Smallmouth Bass
- Walleye-Sauger--or-Hybrid**
- Walleye**
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie

Lake Storey, City of Galesburg

Knox County

- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Walleye-Sauger--or-Hybrid**
- Walleye**
- Walleye, Sauger, or Hybrid
- Walleye (14)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Strini, Village of Romeoville

Will County

- All Fish
- Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Lake Sule, Flagg-Rochelle Park District

Ogle County

- All Fish
- Bluegill or Redear
- Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Pure Muskellunge
- Walleye-Sauger--or-Hybrid**
- Walleye**
- White, Black or Hybrid
- Crappie (15)

- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 36" Minimum Length Limit
- 14"-Minimum-Length-Limit
- 10 Fish Daily Creel Limit

Lake Taylorville, City of Taylorville

Christian County

- Large or Smallmouth Bass
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)

- 15" Minimum Length Limit
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

Lake Vandalia, City of Vandalia

Fayette County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Lake Vermilion, Vermilion County Conservation District

Vermilion County

- All Fish
- Large or Smallmouth Bass
- Pure Muskellunge
- Walleye-Sauger--or-Hybrid**
- Walleye**
- White, Black, or Hybrid
- Crappie
- White, Black, or Hybrid
- Crappie (15)

- 2 Pole and Line Fishing Only (26)
- 15" Minimum Length Limit (23)
- 48" Minimum Length Limit (40)
- 14"-Minimum-Length-Limit-(23)
- 9" Minimum Length Limit
- 25 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Victoria, City of South BeloitWinnebago County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Lake Williamsville, City of WilliamsvilleSangamon County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

LaSalle Lake, LaSalle Power StationLaSalle County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 1 Fish Daily Creel Limit
- 18" Minimum Length Limit
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Striped, White, or Hybrid
- Striped Bass (16)
- 10 Creel/3 Fish 17" or Longer Daily (17)

Levings Lake, Rockford Park DistrictWinnebago County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical SiteColes County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit

Lincoln Park North Lagoon, Chicago Park DistrictCook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

Lincoln Park South Lagoon, Chicago Park DistrictCook County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Channel Catfish

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lincoln Trail Lake, Lincoln Trail State ParkClark County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Channel Catfish
- Large or Smallmouth Bass

Little Black Slough, Little Black Slough State Natural AreaJohnson County

- All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines
- All Fish

Little Sister Lake, County of FultonFulton County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit

Little Vermillion River Basin - Special Management Zone (river mainstem and tributaries)LaSalle County

- Large or Smallmouth Bass
- Catch and Release Only Season No Harvest May 1 through June 15 (9)

Lou Yeager Lake, City of LitchfieldMontgomery County

- Large or Smallmouth Bass
- 15" minimum Length Limit
- Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Loami Reservoir, City of LoamiSangamon County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Lower Cache River, Lower Cache River State Natural AreaPulaski/Johnson Counties

- All Fish
- 2 Pole and Line Fishing Only (1)
- No Seines
- All Fish

Lyerla Lake, Union County Conservation AreaUnion County

- All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Macon County Conservation District
Ponds, Macon County Conservation District
Macon County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Maple Lake, Cook County Forest Preserve District
Cook County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Channel Catfish
Large or Smallmouth Bass

Marissa City Lake, City of Marissa
St. Clair County

Channel Catfish - 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Marshall County Conservation Area (Fishing Ditch), Marshall County
Conservation Area (33)
Marshall County

~~Unlawful to trespass upon designated waterfowl hunting areas 7 days prior to the waterfowl season and on areas designated as waterfowl refuges from October 10 until the end of the waterfowl season~~

All Fish - 2 Pole and Line Fishing Only (1)

Marshall County Conservation Area - Sparland Unit (19)
Marshall County

Mascoutah Reservoir, City of Mascoutah
St. Clair County

All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Massac County Fairgrounds Pond, State of Illinois
Massac County

Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Mattoon Lake, City of Mattoon

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Coles County

All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County

Large or Smallmouth Bass - 15" Minimum Length Limit

Mazonia Lakes & Ponds, Mazonia State Fish and Wildlife Area (33)
Grundy County

~~Mazonia Lakes and Pond are closed to all fishing and boat traffic from 2 weeks prior to duck season through the day before duck season and is closed to all fishing during waterfowl season commencing with duck season~~

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

McCullom Lake, City of McHenry
McHenry County

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Bass (14) - 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District
Cook County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro
Hamilton County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Meredosia Lake - Cass County Portion Only (meandered waters only) (33)

Cass County

Meredosia Lake - Cass County Portion

Cass County
(Meandered waters only) (All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes; hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes)

Mermet State Lake, Mermet Lake Conservation Area (33)

Massac County

- All Fish
- 2 Pole and Line Fishing Only (1)
- (5)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Middle Fork Forest Preserve Ponds, Champaign County Forest Preserve

Champaign County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Channel Catfish
- Large or Smallmouth Bass

Middle Fork of the Vermilion River, Kickapoo State Park and Middle Fork Fish and Wildlife Area

Vermilion County

- All Fish
- 2 Pole and Line Fishing Only (1)

Middle Fork of the Vermilion River Basin - Special Management Zone (river mainstem and tributaries)

Vermilion/Champaign/Ford Counties County

- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Catch and Release Only Season in tributaries - No Harvest May 1 through June 15 (9)
- Large or Smallmouth Bass

Mill Creek Lake, Clark County Park District

Clark County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- Channel Catfish
- Large or Smallmouth Bass

Mill Pond, Pearl City Park District

Stephenson County

- All Fish
- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Mill Race Ponds, Belvidere Park District

Boone County

- Trout
- Spring Closed Season (11)

Miller Park Lake, City of Bloomington

McLean County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Spring Closed Season (11)
- Channel Catfish
- Trout

Mineral Springs Park Lagoon, City of Pekin

Tazewell County

- All Fish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- Fall Closed Season (10)
- Channel Catfish
- Trout

Mississippi River Pools 16, 17, 18, 21, 22, 24, 25, 26 (19)

Multiple Counties

Mississippi River (between IL & IA), State of Illinois

Multiple Counties

- Large or Smallmouth Bass
- 14" Minimum Length Limit
- Northern Pike
- 5 Fish Daily Creel Limit
- Walleye and Sauger (14)
- 10 Fish Daily Creel Limit (24)
- Walleye
- 15" Minimum Length Limit

Mississippi River (between IL & MO), State of Illinois

Multiple Counties

(Boating prohibited on refuge area (Ellis Bay) immediately upstream south of Melvin Price Lock and Dam 26 overflow dike from October 15-April 15)

- Northern Pike
- 1 Fish Daily Creel Limit
- Walleye and Sauger (14)
- 8 Fish Daily Creel Limit

Monee Reservoir, Will County Forest Preserve District

Will County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- Large or Smallmouth Bass
- 15" Minimum Length Limit

Montrose Lake, City of Montrose

Cumberland County

- All Fish
- 2 Pole and Line Fishing Only (1)
- Channel Catfish
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass - 14" Minimum Length Limit

Mt. Olive City Lakes, City of Mt. Olive
Macoupin County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Mt. Olive (Old) Lake, City of Mt. Olive
Macoupin County

Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County

All Fish - 2 Pole and Line Fishing Only (1)

Mt. Sterling Lake, City of Mt. Sterling
Brown County

Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County

All Fish - 2 Pole and Line Fishing Only (1)
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Mundelein Park Dist. (Diamond Lake & Park Ponds), City of Mundelein
Lake County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Nashville City Lake, City of Nashville
Washington County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Newton Lake, Newton Lake State Fish and Wildlife Area
Jasper County

All Fish - 2 Pole and Line Fishing Only (1)
(5)

Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Walleye-Sauger, or Hybrid
Walleye

--14" Minimum Length Limit

White, Black, or Hybrid - 10 Fish Daily Creel Limit
Crappie (15)

White, Black, or Hybrid - 10" Minimum Length Limit
Crappie

Norris City Reservoir, City of Norris City
White County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit

Oakford Conservation Area (Menard County) (19)
Menard County

Oakland City Lake, City Lake, City of Oakland
Coles County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Ohio River (between Illinois & Kentucky), State of Illinois
Multiple Counties (19)

Large or Smallmouth Bass - 12" Minimum Length Limit
Northern Pike - No Length or Creel Limit
Muskie or Tiger Muskie - 2 Fish Daily Creel Limit
Muskie or Tiger Muskie - 30" Minimum Length Limit
Walleye, Sauger, or Hybrid - 10 Fish Daily Creel Limit
Walleye (14)

White, Black, or Hybrid - 30 Fish Daily Creel Limit
Crappie (15)

Striped, White, Yellow or Hybrid
Striped Bass

- 30 Creel/4 Fish 15" or Longer
Daily (32)

Ohio River-Smithland Pool Tributary Streams (in Pope/Hardin/Gallatin Counties,
excluding Wabash River and Saline River Above Route 1 Bridge) (19)
Multiple Counties

Large and Smallmouth Bass - 12" Minimum Length Limit

Otter Lake, Otter Lake Water Commission

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Macoupin County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 Bass (14)
 Striped, White, or Hybrid
 Striped Bass
 Striped, White, or Hybrid
 Striped Bass (16)
 Pure Muskellunge

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 17" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 48" Minimum Length Limit (40)

Palmyra-Modesto Water Commission Lake, Palmyra/Modesto Water Commission
 Macoupin County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Palmyra-City-Lake-6-Terry-Park-Pond-City-of-Palmyra
 Macoupin County
 All Fish
 Channel Catfish

--2-Pole-and-Line-Fishing-Only-(1)
 --6-Fish-Daily-Creel-Limit

Pana Lake, City of Pana
 Shelby and Christian Counties
 All Fish
 Channel Catfish
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Paris East & West Lakes, City of Paris
 Edgar County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area
 St. Clair County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 White, Black, or Hybrid
 Crappie (15)
 White, Black, or Hybrid Crappie

- 2 Pole and Line Fishing Only (1)
 (34)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 25 Fish Daily Creel Limit
 - 9" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Pekin Lake (19)
 Tazewell County

Perry Farm Pond, Bourbonnais Park District
 Kankakee County
 All Fish
 Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Piasa (19)
 Madison/Jersey Counties

Pierce Lake, Rock Cut State Park
 Winnebago County
 All Fish

- 2 Pole and Line Fishing Only (1)(7)
 --5-Fish-Daily-Creel-Limit
 - 6 Fish Daily Creel Limit
 - 1 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 48" Minimum Length Limit (40)
 --14"-Minimum-Length-Limit

Bluegill-or-Redear-Sunfish-(14)
 Channel Catfish
 Large or Smallmouth Bass (14)
 Large or Smallmouth Bass
 Pure Muskellunge
 Walleye-Sauger-or-Hybrid
 Walleye
 White, Black, or Hybrid
 Crappie (15)

Pike County Conservation Area (19)
 Pike County

Pickneyville Lake, City of Pickneyville
 Perry County
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)

- 18" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Pine Creek
 Ogle County
 Trout

- Spring Closed Season (11)

Pine Creek (within the boundaries of White Pines Forest State Park)
 Ogle County
 All Fish
 Trout

- 2 Pole and Line Fishing Only (1)
 - Spring Closed Season (11)

Pine Lake, Village of University Park
 Will County
 All Fish
 Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Piscasaw Creek

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

McHenry County

- Trout
- Trout
- 9" Minimum Length Limit
- Spring Closed Season (11)

Pittsfield City Lake, City of Pittsfield

- Pike County
- All Fish
- Large or Smallmouth Bass
- Striped, White, or Hybrid
- Striped Bass
- Striped, White, or Hybrid
- Striped Bass (16)
- Walleye-Sauger-or-Hybrid
- Walleye
- 2 Pole and Line
- Fishing Only (1)(7)
- 14" Minimum Length Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 14"-Minimum-Length-Limit

Pocahontas Park Pond, City of Pocahontas

- Bond County
- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Powerton Lake, Powerton Lake Fish and Wildlife Area (39)

- Tazewell County
- (Powerton Lake shall be closed to boat traffic except for legal waterfowl hunters from one week prior to regular waterfowl season to February 15 October-1-to-February-15, and closed to all unauthorized entry during the regular Canada goose and duck water-fowl season)
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Striped, White, or Hybrid
- Striped Bass (16)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit
- 1 Fish Daily Creel Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)
- 3 Fish Daily Creel Limit
- 18" Minimum Length Limit

Walleye, Sauger, or Hybrid

Walleye (14)

Walleye, Sauger, or Hybrid

Walleye

Prospect Pond, City of Moline

- Rock Island County
- Trout
- Fall Closed Season (10)

Pyramid State Park Lakes & Ponds, Pyramid State Park

- Perry County
- All Fish
- Channel Catfish
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Ramsey Lake, Ramsey Lake State Park

- Fayette County
- All Fish
- Bluegill or Redear Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Walleye-Sauger-or-Hybrid
- Walleye
- White, Black, or Hybrid
- Crappie (15)
- White, Black, or Hybrid
- Crappie
- 2 Pole and Line Fishing Only (1)
- 25 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 14"-Minimum-Length-Limit
- 10 Fish Daily Creel Limit
- 9" Minimum Length Limit

Ramsey Lake State Park Ponds, Ramsey Lake State Park

- Fayette County
- Large or Smallmouth Bass
- 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area

- Randolph County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- Trout
- Walleye-Sauger-or-Hybrid
- Walleye
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit
- Fall Closed Season (10)
- 14"-Minimum-Length-Limit

Red Hills Lake, Red Hills State Park

- Lawrence County
- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

Red's Landing Wildlife Management Area (19)

- Calhoun County
- (Walk-in area closed to trespassing 7 days prior to duck season)

Redwing Slough/Deer Lake (33)

Lake County

Rend Lake, U.S. Army Corps of Engineers (22) (33)

- Franklin County
- Large or Smallmouth Bass
- Striped, White, Yellow, or Hybrid
- Striped Bass (8)
- 14" Minimum Length Limit
- 10 Creel/3 Fish 17" or Longer Daily (17)

Rend Lake Project Pond, U.S. Army Corps of Engineers

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Franklin County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Large or Smallmouth Bass (14)
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Rice Lake Fish and Wildlife Area (33)
 Fulton County

Ridge Lake, Fox Ridge State Park

Coles County

(Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Walleye-Sauger, or Hybrid

Walleye

Ris Park Lagoon, Chicago Park District

Cook County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Riprap Landing (19)

Calhoun County

Riverside Park Lagoon, Moline Park District

Rock Island County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Rock Creek, State of Illinois

Kankakee County

Trout

- Spring Closed Season (11)

Rock River Basin - Special Management Zone (Fordam Dam to Oregon Dam, including tributaries)

Ogle/Winnnebago Counties

Large or Smallmouth Bass

- 12" - 16" Protected Slot Length Limit (no possession) (37)

- 1 Fish over 16" and 2 Fish under 12" Daily Creel Limit

Large or Smallmouth

Bass (14)

Rock River-Main-Stem-Only

Multiple-Counties

Walleye-Sauger, or Hybrid

Walleye

--14" Minimum-length-limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Rock River Basin - Special Management Zone (from Oregon Dam to State Route 2 Highway Bridge at Grand Detour, including all tributaries)

Ogle County

Large or Smallmouth Bass
 - Catch and Release Fishing Only (9)

Rock Springs Bike Trail Pond, Macon County Conservation District

Macon County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District

Macon County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

Trout
 - Spring Closed Season (11)

Roodhouse Park Lake, City of Roodhouse

Green County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit

Route 154 Day Use Pond, State of Illinois

Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth

Bass (14)

- 1 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo

Fayette County

All Fish

Channel Catfish

Large or Smallmouth Bass

Salem Reservoir, City of Salem

Marion County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)(5)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Crappie (15)
 - 10 Fish Daily Creel Limit
- Shawnee National Forest Lakes & Ponds less than 10 acres, U.S. Forest Service
 Multiple Counties
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Bay Creek Lake #5 and #8 (Sugar Creek Lake), U.S. Forest Service
 Pope County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth and
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Dutchman Lake, U.S. Forest Service
 Johnson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Lake Glendale, U.S. Forest Service
 Pope County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Little Cache #1, U.S. Forest Service
 Johnson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Little Cedar Lake, U.S. Forest Service
 Jackson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - One Horse Gap Lake, U.S. Forest Service
 Pope County
 All Fish
 - 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Pounds Hollow Lake, U.S. Forest Service
 Gallatin County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Tecumseh Lake, U.S. Forest Service
 Hardin County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Turkey Bayou, U.S. Forest Service
 Jackson County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Shawnee National Forest - Whoopie Cat Lake, U.S. Forest Service
 Hardin County
 All Fish
 Channel Catfish
 Largemouth, Smallmouth or
 Spotted Bass
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
- Sherman Park Lagoon, Chicago Park District
 Cook County
 All Fish
 Channel Catfish
 - 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
- Siloam Springs Lake, Siloam Springs State Park
 Adams County
 All Fish
 Channel Catfish
 Large or Smallmouth Bass
 Trout
 Trout
 - 2 Pole and Line Fishing Only (1) (7)
 - 6 Fish Daily Creel Limit
 - 12-15" Slot Length Limit (3)
 - Fall Closed Season (10)
 - Spring Closed Season (11)
- Silver Lake, DuPage County Forest Preserve District
 DuPage County

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Spring Closed Season (11)

Silver Lake-Highland-City-of-Highland
Madison County

Walleye-Sauger-7-or-Hybrid
Walleye

--14"-Minimum-Length-Limit

Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Park
Kendall County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Trout
Trout
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - Fall Closed Season (10)
 - Spring Closed Season (11)

Site M, All Lakes and Ponds, Ponds-#17-#27-#37-and-#4 Site M Conservation Area
Cass County

- All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit

Site M, Highway II Pond, Site M Conservation Area
Cass County

- All Fish
Bluegill or Redear
Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
Trout
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - Spring Closed Season (11)

Skokie Lagoons, Cook County Forest Preserve District
Cook County

- All Fish
- 2 Pole and Line Fishing Only (1)
 - 14" Minimum Length Limit
 - 18" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Small Pit Pond, Boone County Conservation District
Boone County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit
 - 1 Fish Daily Creel Limit

Snake Den Hollow Lakes, Snake Den Hollow State Fish and Wildlife Area
Knox County

(All use other than waterfowl hunting prohibited from October 1 through the end of the Canada goose season)

- All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye (14)
Walleye-Sauger-7-or-Hybrid
Walleye
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 10 Fish Daily Creel Limit
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 36" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 14"-Minimum-Length-Limit
 - 5 Fish Daily Creel Limit

Sparta City Lakes, City of Sparta
Randolph County

- All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit

Sparta "T" Lake, City of Sparta
Randolph County

- All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
White, Black, or Hybrid
Crappie
White, Black, or Hybrid
Crappie (15)
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 15" Minimum Length Limit
 - 3 Fish Daily Creel Limit
 - 9" Minimum Length Limit
 - 10 Fish Daily Creel Limit

Spencer Lake, Boone County Conservation District
Boone County

- All Fish
Channel Catfish
Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
 - 6 Fish Daily Creel Limit
 - 14" Minimum Length Limit

DEPARTMENT OF NATURAL RESOURCES

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Large or Smallmouth
Bass (14)

Spring Lake, City of Macomb
McDonough County
All Fish

- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1) (5)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 17" Minimum Length Limit
- 3 Fish Daily Creel Limit

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Striped, White, or Hybrid
Striped Bass
Striped, White, or Hybrid
Striped Bass (16)

Spring Lake, Flag-Rochelle-Park-District
Ogle County

Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

Spring Lakes (North & South), Spring Lake Conservation Area (33)

Tazewell County
All Fish
Channel Catfish

- 2 Pole and Line Fishing Only (1) (7)
- 6 Fish Daily Creel Limit
- 12-15" Slot Length Limit (3)
- 3 Fish Daily Creel Limit
- 48" Minimum Length Limit (40)
- 25 Fish Daily Creel Limit
- 9" Minimum Length Limit

Large or Smallmouth Bass
Large or Smallmouth
Bass (14)
Pure Muskellunge
White, Black, or Hybrid
Crappie (15)
White, Black, or Hybrid
Crappie

Spring Pond, Flag-Rochelle Park District
Ogle County

All Fish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

- 2 Pole and Line Fishing Only (1)
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Starved Rock State Park (19)

LaSalle County

Staunton City Lake, City of Staunton
Macoupin County
All Fish

- 2 Pole and Line Fishing Only (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish

- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Stephen A. Forbes State Park (19)
Marion County

Sterling Lake, Lake County Forest Preserve District
Lake County

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 1 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 36" Minimum Length Limit
- 14" Minimum Length Limit

Channel Catfish
Large or Smallmouth Bass (14)
Large or Smallmouth Bass
Pure Muskellunge
Walleye, Sauger, or Hybrid
Walleye

Storm Lake, DeKalb Park District

DeKalb County

All Fish

- 2 Pole and Line Fishing (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 1 Fish Daily Creel Limit

Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

Stump Lake Wildlife Management Area (33)

Jersey County

Tampier Lake, Cook County Forest Preserve District

Cook County

All Fish

- 2 Pole and Line Fishing Only (36)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 18" Minimum Length Limit

Channel Catfish

Large or Smallmouth Bass
Walleye, Sauger, or Hybrid
Walleye

Taylorville Park District Pond, Taylorville Park District

Christian County

All Fish

- 2 Pole and Line Fishing Only (1)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area

Hamilton/Jefferson Counties (19)

(Areas designated as refuge are closed to all access during the season)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

All Fish

Channel Catfish
Large or Smallmouth Bass

DEPARTMENT OF NATURAL RESOURCES

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Werry-Park-Pond-Village-of-Palmira
Macoupin-County

Large-or-Smallmouth-Bass
Bass-(14)
Bass-(14)

--15"-Minimum-Length-Limit

--3-Fish-Daily-Creel-Limit

Tilton City Lake, City of TiltonToledo Reservoir, City of ToledoCumberland County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

Vermilion County

Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

Tomahawk Lake, Moraine Hills State ParkMcHenry County

All Fish

Channel Catfish

Large or Smallmouth Bass
Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

- 3 Fish Daily Creel Limit

Turkey Bluff Ponds, State of IllinoisRandolph County

All Fish

Channel Catfish

Large or Smallmouth Bass
Large or Smallmouth
Bass (14)

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 15" Minimum Length Limit

- 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State ParkLake County

All Fish

Channel Catfish

Large or Smallmouth Bass (14)

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 1 Fish Daily Creel Limit

- 15" Minimum Length Limit

Tuscola City Lake, City of TuscolaDouglas County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)

- 6 Fish Daily Creel Limit

- 14" Minimum Length Limit

Union County Conservation AreaUnion County

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

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(All fishing and boat traffic prohibited October 15-March 1)

Valley Lake, Wildwood Park DistrictLake County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Valmeyer Lake, City of ValmeyerMonroe County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth
Bass (14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park DistrictWill County

All Fish

Channel Catfish

Large or Smallmouth Bass

Large or Smallmouth Bass
(14)

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Vernor Lake, City of OlneyRichland County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove East Lake, City of Villa GroveDouglas County

All Fish

Channel Catfish

Large or Smallmouth Bass

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Villa Grove West Lake, City of Villa GroveDouglas County

All Fish

Channel Catfish

Large or Smallmouth Bass

Trout

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- Fall Closed Season (10)

Virginia City Reservoir, City of VirginiaCass County

All Fish

Channel Catfish

- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit

DEPARTMENT OF NATURAL RESOURCES

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- Large or Smallmouth Bass - 15" Minimum Length Limit
- Waddams Creek
Stephenson County
Trout - Spring Closed Season (11)
- Walnut Point Lake, Walnut Point State Fish and Wildlife Area
Douglas County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
- Walton Park Lake, City of Litchfield
Montgomery County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Warrior Lake, Moraine Hills State Park
McHenry County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Washington County Lake, Washington County Conservation Area
Washington County
All Fish - 2 Pole and Line Fishing Only (1)
(5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid - 3 Fish Daily Creel Limit
Striped Bass (16)
- Washington Park Lagodon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- Washington Park Pond, Springfield Park District
Sangamon County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Trout - Fall Closed Season (10)

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- Trout - Spring Closed Season (11)
- Waverly Lake, City of Waverly
Morgan County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
- Weinberg-King Pond, Weinberg-King State Park
Schuyler County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- Weldon Springs Lake, Weldon Springs State Park
Dewitt County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- West Frankfort New City Lake, City of West Frankfort
Franklin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- West Frankfort Old City Lake, City of West Frankfort
Franklin County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- West Salem Reservoir, City of West Salem
Edwards County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
- White Hall City Lake, City of White Hall
Greene County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
- White Oaks Lake, City of Bloomington
McLean County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

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Wilderness Lake, Moraine Hills State Park
McHenry County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit
- 3 Fish Daily Creel Limit

Wilderness Pond, Fox Ridge State Park
Coles County

- (Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (19))
- All Fish
- Bluegill or Redear
- Sunfish (14)
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 1 Fish Daily Creel Limit
- 2 Pole and Line Fishing Only (1)
- 5 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 18" Minimum Length Limit

William W. Powers Conservation Area (33)
Cook County

Wolf Lake, William W. Powers Conservation Area (33)
Cook County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Walleye-Sauger or Hybrid
- Walleye
- 14" Minimum Length Limit
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 14" Minimum Length Limit

Woodford Co. Cons. Area (Fishing Ditch), Woodford County (33)
Conservation Area

- Woodford County
- All Fish
- 2 Pole and Line Fishing Only (1)

Woodlawn Pond, Frankfort Square Park District
Will County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass (14)
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit
- 1 Fish Daily Creel Limit

Wyman Lake, City of Sullivan
Moultrie County

- All Fish
- Channel Catfish
- Large or Smallmouth Bass
- Large or Smallmouth Bass
- 2 Pole and Line Fishing Only (1)
- 6 Fish Daily Creel Limit
- 15" Minimum Length Limit

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Bass (14)

Trout

Yellow Creek

Stephenson County

Trout

- 1 Fish Daily Creel Limit
- Spring Closed Season (11)

- Spring Closed Season (11)

(Source: Amended at 22 Ill. Reg. _____, effective _____)

~~MAR 2 1998~~

Section 810.50 Bait Fishing

a) Statewide regulations.

- 1) Legal sized cast nets, shad scoops, and minnow seines may be used to obtain shad, minnows and crayfish to use as bait, provided that they are not sold or bartered. All cast nets shall be not larger than 8 feet in diameter or of a mesh size not larger than 3/8 inch bar measurement. All shad scoops shall be not larger than 30 inches in diameter or of a mesh size not larger than 1/2 inch bar measurement or longer than 4 feet in length. Minnow seines shall not be longer than 20 feet, deeper than 6 feet or contain mesh size larger than 1/2 inch bar measurement.
- 2) Minnows and crayfish may be collected with traps of metal screen or hardware cloth, plastic, or nylon mesh or netting. Such traps may not be more than 24 inches in width or diameter or more than 36 inches in length nor use a mesh of more than 1/2 inch bar measurement. Each entrance aperture may not exceed 1.5 inches in diameter. If unattended, such devices must be tagged with the name and mailing address of the person operating the device. Minnows and crayfish collected in such devices may only be taken for personal use and may not be sold or bartered.

- 3) Persons possessing a valid sport fishing license or combination hunting and fishing license may not take mussel.
- 4) Aquatic life protected under 17 Ill. Adm. Code 1010 - Illinois List of Endangered and Threatened Fauna may not be taken for any purpose including bait fishing.
- 5) The use of living river ruffe as bait is prohibited.
- 6) The use of living gobies (round, tubenose) as bait is prohibited.
- 7) The use of living rusty crayfish as bait is prohibited.
- 8) The use of living rudd as bait is prohibited.

- b) Site specific regulations.
- None.

- (Source: Amended at 22 Ill. Reg. _____, effective _____)

~~MAR 2 1998~~

Section 810.70 Free Fishing Days

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

During the period of June 5, 6, 7, and 8, 1998 77-87--and-97-1997, it shall be legal for any person to fish in waters wholly or in part within the jurisdiction of the State, including the Illinois portion of Lake Michigan, without possessing a sport fishing license, salmon stamp or inland trout stamp.

(Source: Amended at 22 Ill. Reg. 3.7, effective 11/1/97)

Section 810.90 Fishing Tournament Permit

a) A fishing tournament permit from the Department of Natural Resources is needed if:

- 1) Prizes are offered for tagged or marked fish and where any of the waters listed in Section 810.45 are named as a tournament site;

OR

- 2) The fishing event is conducted over a period of more than five--4 5+ days during any calendar year, and prizes with a total value in excess of \$1,000 are offered, and where any of the waters listed in Section 810.45 are named as a tournament site; or
- 3) Special exemption to the site specific regulations for daily creel and size limit (not exceed the statewide statutory limits) is requested for:

- A) catch, hold for weigh-in, and release tournaments for muskies (all waters), or smallmouth bass (streams only - except that the Mississippi, Ohio and Wabash Rivers are not eligible for permits which exempt participants from site specific daily catch and size limits); and
- B) special fishing tournaments/events for children under 16, for disabled persons, or for adults over 65.

b) Requests for a permit shall be made on applications provided by the Department of Natural Resources, Division of Fisheries, at least 60 days prior to the first tournament date.

c) Issuance or denial of a permit shall be based upon the following criteria:

- 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
- 2) The location of the tournament; catch and release management zones on streams are not eligible for permits.
- 3) The Mississippi, Wabash, and Ohio are not eligible for permits which exempt participants from daily catch and size limits for smallmouth bass.
- 4) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:

- A) Biological status of the fish population, including the

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species sought;

- B) length of the tournament;
- C) number of boats and anglers participating in the tournament;
- D) for tagged fish tournaments, provisions for obtaining and tagging targeted fish species; and
- E) safety of anglers and potential boater-user conflicts.

5) Demonstrates adequate provisions for holding, handling, and releasing caught fish. Specific criteria are:

- A) Tournament officials must be able to certify that all boats will be required to possess a livewell (except muskie fishing tournaments) measuring at least 18" long, 12" deep, and 12" wide and be fitted with a functioning aerator and water pump.
- B) Following the weigh-in, fish must be released away from the weigh-in site and as near to the spot where the catch was made as possible by means of a common release boat or vehicle, or by individual boats.
- C) If a common release boat or vehicle is utilized, the anglers transporting the fish to be released are exempt from the daily creel limit. A common release boat and holding tank used to transport fish for release shall be adequate to carry a tank constructed of a suitable material (aluminum or fiber glass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain constant desirable temperature to sustain their well-being. The tank must have operating hatches to prevent fish from jumping out of the tank and allow quick opening and closing for introduction and removal of fish. Detailed specifications on the design and use of a fish holding tank are available upon request from the IDNR, Division of Fisheries. Individual boats and anglers returning their catches of fish back to a release site must adhere to daily creel limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.
- D) For catch, weigh-in, and release muskie tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length or weight of the fish prior to release. Muskies may not be transported to a weigh-in site.

6) Adequate identification of participants in fishing tournament for law enforcement purposes. Specific criteria include:

- A) Tournament officials must keep and have available on site a written record or log of daily participants (including names and boat registration numbers) for inspection by Department of Natural Resources officials.
- B) Each participant and boat must be identified in an easily

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recognizable manner at a distance (patch on the hat or back).

- d) Failure to acquire a permit as referenced in subsection (a) above is a petty offense and will result in denial of future applications for a Fishing Tournament Permit by that applicant, sponsor or group for a period up to five-(5) years.

(Source: Amended at MAR 2 1998 Ill. Reg. _____, effective _____)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Certification and Operation of Radiochemistry Laboratories

- 2) Code Citation: 32 Ill. Adm. Code 406

- 3) Section Number: Adopted Action:

406.10 New Section
406.20 New Section
406.25 New Section
406.30 New Section
406.40 New Section
406.50 New Section
406.60 New Section
406.70 New Section
406.80 New Section
406.90 New Section
406.100 New Section
406.110 New Section
406.120 New Section
406.130 New Section
406.140 New Section
406.200 New Section
406.210 New Section
406.220 New Section
406.230 New Section
406.240 New Section
406.250 New Section
406.260 New Section
406.270 New Section
406.280 New Section

- 4) Statutory Authority: Implementing the Civil Administrative Code of Illinois [20 ILCS 5] and authorized by Sections 55.10 through 55.12 and Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.10 through 55.12 and 20 ILCS 2005/71(D)].

- 5) Effective Date of Amendments: March 2, 1998

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does these amendments contain incorporations by reference? Yes

- 8) Date filed in Agency's Principal Office: February 26, 1998

- 9) Notice of Proposal Published in the Illinois Register: November 21, 1997 (21 Ill. Reg. 14705)

- 10) Has JCAR issued a Statement of Objections to these Amendments? No

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED RULES

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 406
CERTIFICATION AND OPERATION OF
RADIOCHEMISTRY LABORATORIES
SUBPART A: GENERAL PROVISIONS

Section	
406.10	Scope and Applicability
406.20	Definitions
406.25	Incorporations by Reference
406.30	Certification Procedures
406.40	Conditions Governing the Use of Certificates
406.50	Provisional Certification
406.60	Preliminary Certification
406.70	Changes in Ownership or Operations
406.80	Revocation of Certification
406.90	Subcontracting by Certified Laboratories
406.100	Performance Evaluation Samples
406.110	Authority of Certification Officers
406.120	Hearing, Decision and Appeal
406.130	Liability
406.140	Reciprocity Agreements

SUBPART B: RADIOCHEMISTRY ANALYSES OF PUBLIC WATER
SUPPLY SAMPLES

Section	
406.200	Personnel Requirements
406.210	Laboratory Facilities
406.220	Laboratory Equipment and Instrumentation
406.230	General Laboratory Practices
406.240	Analytical Methodology
406.250	Sample Collection, Handling and Preservation
406.260	Quality Assurance
406.270	Record Maintenance
406.280	Action Response to Laboratory Results

AUTHORITY: Implementing the Civil Administrative Code of Illinois [20 ILCS 5] and authorized by Sections 55.10 through 55.12 and Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.10 through 55.12, and 20 ILCS 2005/71(D)].

SOURCE: Adopted at 22 Ill. Reg. effective
WAR 2 1998.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED RULES

11) Differences between proposal and final version: In line 120, by adding a comma after "1990".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these amendments replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: This Rule will replace the Department's portion of the Joint Rules of the Illinois Environmental Protection Agency, the Illinois Department of Public Health and the Department of Nuclear Safety: Certification and Operation of Environmental Laboratories (35 Ill. Adm. Code 183). This Part establishes the standards applicable to radiochemistry laboratories involved in radiochemical analyses of samples of water from public water supplies and their sources.

16) Information and questions regarding these adopted rules shall be directed to:

Thomas J. Carlisle
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9884 (voice)
(217) 782-6133 (TDD)

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

SUBPART A: GENERAL PROVISIONS

Section 406.10 Scope and Applicability

This Part establishes the standards applicable to radiochemistry laboratories involved in radiochemical analyses of samples of water from public water supplies and their sources.

Section 406.20 Definitions

For purposes of this Part, unless otherwise specifically defined or the context clearly requires a different meaning:

"Analyst" means any person who performs analyses for parameters on samples submitted to the radiochemistry laboratory and who meets the qualifications set forth in Section 406.200 of this Part.

"Analyst Assistant" means a person who performs certain analyses on samples submitted to the radiochemistry laboratory and who meets the qualifications set forth in Section 406.200 of this Part.

"Certification" means a status of approval granted to a radiochemistry laboratory that meets the criteria established by this Part or in accordance with a reciprocity agreement entered into pursuant to Section 406.140 of this Part. Certification is not a guarantee of the validity of the data generated.

"Certification Officer" means any person who is designated by the Department to inspect and evaluate radiochemistry laboratories for compliance in meeting the criteria set forth in this Part. Certification officers shall meet the educational and experience qualifications for laboratory directors as set forth in Section 406.200 of this Part.

"Deficiency" means a failure of a radiochemistry laboratory to meet any applicable requirement of this Part.

"Department" means the Department of Nuclear Safety.

"Director" means the Director of the Department of Nuclear Safety.

"Laboratory Director" means the person who is responsible for the operation of an radiochemistry laboratory and who meets the qualifications set forth in Section 406.200 of this Part.

"Major Remodeling" means any remodeling of the laboratory facility which requires the acquisition of a local building permit.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

"Parameter" means a chemical element, chemical compound or radionuclide.

"Performance Evaluation Sample (PES)" means a sample used to determine accuracy, prepared either by the certifying agency or an authority recognized by the certifying agency, in which the true value and acceptance limits are unknown to the laboratory at the time of analysis.

"Provisional Certification" means a certification status granted to a radiochemistry laboratory in order to allow time for the correction of a deficiency. Failure to correct a deficiency during the provisional certification period allows the Department to revoke certification as specified in Section 406.80 of this Part. While on provisional certification, a radiochemistry laboratory remains approved for the analyses covered by its certification.

"Public Water Supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections, or which regularly serve at least 25 persons at least 60 days per year.

"Radiochemistry Laboratory" means any facility that performs radiochemical analyses on environmental samples in order to determine the quality of food, milk, public water supplies, surface water, ground water, recreational waters, wastewater, air or land.

Section 406.25 Incorporations by Reference

All rules, standards and guidelines of agencies of the United States or nationally recognized organizations or associations that are incorporated by reference in this Part are incorporated as of the date specified in the reference and do not include any later amendments or editions. Copies of these rules, standards and guidelines that have been incorporated by reference are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois.

AGENCY NOTE: In this Part, the Department has specifically incorporated by reference the methods listed in the table in Section 141.25(a), "Analytical Methods for Radioactivity", 40 CFR 141, National Primary Drinking Water Regulations effective as of March 5, 1997. This table was originally published at 62 FR 10173 - 10174 (March 5, 1997). The Department further incorporates the latest publication of the "determination of Radium-228 in Drinking Water", August 1990, in lieu of the reference publication date shown

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in footnote 10 on page 10174. Additionally, in footnote 12 on page 10174, the correct scientific number should read pCi/ug.

Section 406.30 Certification Procedures

- a) A radiochemistry laboratory that meets or exceeds the minimum criteria for certification may receive certification from the Department for any radiological parameter for which a methodology has been specified in this Part, or for which an alternative methodology has been approved in accordance with the provisions of this Part.
- b) The operational aspects of a radiochemistry laboratory that will be evaluated in considering a request for certification are:
 - 1) laboratory facilities;
 - 2) personnel;
 - 3) methodology and instrumentation;
 - 4) data handling; and
 - 5) quality assurance program.
- c) In seeking certification, the petitioning radiochemistry laboratory shall:
 - 1) Submit a formal request for certification to the Department;
 - 2) File with the Department, on the applicable administrative questionnaires furnished by the Department, if available, or otherwise in a form approved by the Department, complete information on the five categories listed in subsection (b) of this Section;
 - 3) Analyze all performance evaluation samples required in accordance with Section 406.100 and Section 406.260(c) and (d) of this Part and report the results of such analyses to the Department; and
 - 4) Permit and cooperate in an on-site visit by Department authorized certification officers. Certification officers shall provide the radiochemistry laboratory with official identification and credentials. The initial visit will be arranged at the mutual convenience of both parties. The Department reserves the right to make subsequent visits without prior notice during regular working hours.

- d) Approval or denial of certification may be made only after the procedure described in subsection (c) of this Section has been completed. Denial of certification shall be in the form of a narrative, giving information as to how deficiencies may be corrected, along with a completed survey form on which all deficiencies are clearly identified.
- e) Radiochemistry laboratories in jurisdictions not having reciprocal agreements with the Department under Section 406.140 of this Part may receive certification from the Department under this Part and shall pay all of the expenses to be incurred by the Department, including travel expenses, prior to evaluation.

Section 406.40 Conditions Governing the Use of Certificates

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- a) Certification of radiochemistry laboratories under this Part shall be effective for a 3-year period from the date of issue, unless modified or revoked by the Department. Application for timely renewal of certification shall be made to the Department no later than 90 days prior to the applicable expiration date. Approval of a renewal application shall be contingent upon the radiochemistry laboratory meeting all of the factors considered in granting the original certification, including acceptable results on performance evaluation samples required under this Part. When a certified radiochemistry laboratory has made timely and sufficient application for renewal of certification or certification for additional parameters, the existing certification shall, unless otherwise modified or revoked in accordance with this Part, continue in full force and effect until the final decision of the Department on the application has been made.
- b) Certification shall be limited to those parameters for which a radiochemistry laboratory has been approved and which are listed on the certificate of approval.
- c) The certificate of approval shall be posted or displayed in a prominent place in the laboratory facility.
- d) Information related to the certification of a radiochemistry laboratory shall be accurately represented if used in any advertising and shall prominently include the statement that "Certification by the State of Illinois is not an endorsement or a guarantee of the validity of the data generated." Such information shall also specify the parameters for which the radiochemistry laboratory has been certified. The advertising shall not include any representation that the radiochemistry laboratory is certified to perform a type of analysis for which it lacks proper certification.
- e) A radiochemistry laboratory may surrender its certification voluntarily by notifying the Department in writing and returning the certificate.

Section 406.50 Provisional Certification

- a) Whenever a deficiency is found, a certified radiochemistry laboratory may be placed on provisional certification. Provisional certification may be imposed for the following periods:
 - 1) From 7 to 30 days if the deficiency could compromise the quality of analytical data generated by the radiochemistry laboratory; or
 - 2) From 90 days to one year for any other type of deficiency.
- b) A provisionally certified laboratory may continue to analyze samples for compliance purposes, but shall notify its clients of its provisionally certified status by providing that information in writing, as soon as practicable, but in no event later than 3 working days after the imposition of provisionally certified status and shall also include such information on any report of any analysis performed during the period of provisional certification.

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Section 406.60 Preliminary Certification

The Department may grant written preliminary certification to a radiochemistry laboratory that has demonstrated compliance with the applicable provisions of this Part after completion of the procedures specified in Section 406.30(c)(1) through (c)(3) of this Part. Preliminary certification would be available in instances where it would be impractical for the Department to schedule an on-site visit within 6 months from the date of a laboratory's submission of satisfactory analysis results for performance evaluation samples. Unless modified or revoked in accordance with this Part, preliminary certification shall remain in effect until certification has been approved or denied in accordance with Section 406.30 of this Part.

Section 406.70 Changes in Ownership or Operations

a) Certification shall not be transferable. In the event of a change of ownership, director or principal supervisor of analysts, or relocation or major remodeling of the physical plant of a radiochemistry laboratory, the Department shall be notified in writing within 15 days and shall be provided with the resume of any new owner, director and supervisor and a description of any relocation or remodeling of the physical plant.

b) After receiving notification of any of the changes listed in subsection (a) of this Section, the Department may review the resume of any new owner, director or principal supervisor of analysts, or make an on-site visit. However, the Department may waive any of these actions if it finds such actions to be unwarranted in a specific case. Examples of when such waivers would be appropriate include the following circumstances:

- 1) Waiver of submittal of a summary of education and experience when personnel transferring from one certified laboratory to another are responsible for dealing with the same analytical methods and equivalent equipment; and
- 2) Waiver of an on-site visit if the pertinent test procedures involve simple techniques and equipment.

Section 406.80 Revocation of Certification

a) The Department may revoke all or any part of a radiochemistry laboratory's certification. Any of the following shall be cause for partial or total revocation of certification:

- 1) Expiration of a period of provisional certification, provided the laboratory has not corrected the deficiencies after being placed on provisional certification in accordance with the provisions of Section 406.50 of this Part;
- 2) Unsatisfactory analyses of performance evaluation samples as specified in Section 406.100 of this Part;
- 3) Failure to notify the Department within 15 days after any of the

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- changes listed in Section 406.70 of this Part have occurred:
- 4) Failure to comply with the requirements regarding advertising as specified in Section 406.40(d) of this Part;
 - 5) Failure to use the analytical methodology specified in this Part or approved in accordance with this Part;
 - 6) Failure to provide notice in accordance with Section 406.50 of this Part or its status as a provisionally certified radiochemistry laboratory; or
 - 7) Falsification of results of testing of performance evaluation samples or any other information material to the certification.
- b) The following factors shall be taken into account by the Department in determining what action shall be taken against a certified or provisionally certified radiochemistry laboratory for failing to comply with the requirements of this Section:
- 1) The length of time during which the deficiency has existed;
 - 2) The laboratory's prior record of deficiencies and response in correcting deficiencies noted by the Department;
 - 3) Whether the laboratory knowingly caused or allowed the deficiency; and
 - 4) The potential effect of the deficiency on the quality of analytical data generated by the laboratory.

Section 406.90 Subcontracting by Certified Laboratories

- a) The name of the laboratory actually performing the analysis shall be specified on all reports of analytical results.
- b) For those tests that are required to be performed under certification, any laboratory with which a certified radiochemistry laboratory subcontracts shall also be a certified radiochemistry laboratory.

Section 406.100 Performance Evaluation Samples

A radiochemistry laboratory is required to participate in performance evaluation sample analyses for each analytical parameter or method for which it seeks or wishes to maintain certification in accordance with the certification procedures of Section 406.30 and Section 406.260(c) and (d) of this Part and the certification renewal procedures of Section 406.40 of this Part. Within 90 days after receipt of a performance evaluation sample, the radiochemistry laboratory shall analyze such sample and report the test results to the Department. There shall be no fee charged to the Department for such analyses. Failure to provide results proving satisfactory precision and accuracy in two successive samples shall be cause for revocation of certification for the parameter or method not within satisfactory limits.

Section 406.110 Authority of Certification Officers

Certification officers shall have all of the following authority with regard to radiochemistry laboratories:

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- a) To inspect such laboratories in on-site visits;
- b) To require the laboratory to provide information regarding the technical operation of such laboratory relevant to certification;
- c) To inspect quality assurance records and any other pertinent records;
- d) To observe and question analysts at work on parameters or methods for which certification is sought; and
- e) To grant or deny certification based upon the completion of the evaluation process.

Section 406.120 Hearing, Decision and Appeal

The following procedures are established for those Department certification actions that law requires to be preceded by notice and opportunity for hearing:

- a) Prior to revocation or partial revocation, the Department shall give written notice to the laboratory director or owner. This notice shall include a description of the proposed action, the facts or conduct upon which the Department will rely to support its proposed action and the procedures for requesting a hearing.

- b) Notice given under subsection (a) of this Section and any hearing requested following issuance of such notice shall be in accordance with 32 Ill. Adm. Code 200.

- c) If, however, the Department finds that an emergency situation warrants immediate action, summary suspension as provided for by Section 10-65(d) the Illinois Administrative Procedure Act [5 ILCS 100/10-65(d)] may be ordered pending revocation proceedings. An emergency situation warrants immediate action if there is substantial risk to public health, safety or welfare resulting from laboratory deficiencies that are compromising or are likely to compromise the analytical results obtained.

- d) A final decision of the Director is appealable to the Circuit Courts under the Illinois Administrative Review Act [735 ILCS 5/Art. III].

Section 406.130 Liability

Representatives of the Department shall not waive the right to seek recovery for injuries incurred while inspecting a radiochemistry laboratory facility.

Section 406.140 Reciprocity Agreements

Notwithstanding any other provision in this Part, the Director may elect to enter into agreements with the governments of other states or with federal governmental units for recognition of their radiochemistry laboratory inspections and certifications if such certification program uses equivalent controls over sample collection, data handling, quality control, analytical methods and personnel as required of radiochemistry laboratories within Illinois.

SUBPART B: RADIOCHEMISTRY ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

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Section 406.200 Personnel Requirements

- a) The laboratory director shall be a person holding a minimum of a bachelor's degree in natural or physical sciences with at least 24 semester hours in chemistry or microbiology or both, and shall have had a minimum of 5 years experience in an environmental laboratory.
- b) An analyst is a full-time employee holding a minimum of a bachelor's degree in chemistry, radiochemistry, radioisotope technology or related natural science fields and having had at least 2 years of experience in radiation and radiochemical procedures.
- c) An analyst assistant is a person holding a high school diploma or its equivalent and having had a minimum of 6 months of training or experience or both in routine radiochemistry. Analyst assistants can perform the measurement of gross alpha and gross beta radioactivity. Analyst assistants may assist in routine sample preparation and radioanalytical procedures provided that such work is supervised and validated by an analyst or principal supervisor.
- d) An analyst trainee is a person holding a high school diploma or its equivalent. During the period of training, an analyst trainee shall work under the direct supervision of a principal supervisor, an analyst or an analyst assistant, but shall not exercise independent judgement.

Section 406.210 Laboratory Facilities

The laboratory facilities shall meet the following specifications:

- a) A minimum of 150 square feet of floor space shall be provided for each analyst.
- b) A minimum of 15 linear feet of usable bench space shall be provided for each analyst.
- c) In areas where radioactive standards are prepared, bench tops shall be of an impervious material which may be covered with disposable absorbent paper, or impervious trays lined with absorbent paper shall be available.
- d) The laboratory shall include a sink with hot and cold running water. All water supply outlets shall be protected by approved vacuum breakers.
- e) An adequate electrical supply for operation of instruments and mechanical needs shall be provided. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets local and national electrical codes.
- f) All electrical outlets shall be properly grounded.
- g) Instruments shall be properly grounded with an internal or external regulated power supply available to each instrument.
- h) All plumbing shall meet local and state plumbing codes. The certification officer may require verification from an official inspector or other qualified person that the laboratory meets such codes.

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- i) A natural gas, LP gas, or propane gas supply shall be available.
- j) The laboratory shall include a vacuum source.
- k) A source of distilled water or deionized water or both shall be readily available.
- l) The laboratory shall include at least one fume hood.
- m) Counting instruments shall be located in a room separate from all other analytical activities. The temperature of such room shall be maintained between 60° F (16° C) and 80° F (27° C) and shall not vary under normal operating conditions by more than 3° C.

Section 406.220 Laboratory Equipment and Instrumentation

Instruments that are needed to analyze for the parameters for which the laboratory is being certified shall meet the following minimum specifications.

- a) An analytical balance shall have a precision of plus or minus 0.1 mg or better and a scale readability of 0.1 mg or better.
- b) A pH meter shall have an accuracy of plus or minus 0.1 units or better, and a scale readability of plus or minus 0.1 units or better. The pH meter may be either line/bench or battery/portable operated.
- c) A specific ion meter shall have an accuracy and scale readability of plus or minus 0.1 mV or better and shall have expanded millivolt scale capability. The specific ion meter may be either line/bench or battery/portable operated.
- d) A conductivity meter and cell combination, suitable for checking distilled water quality, shall be readable in ohms or mhos, and have a range of up to 4 megohm/cm or greater (conductivity down to 0.1 micromhos/cm) plus or minus 1 percent. The conductivity meter may be either line/bench or battery/portable operated.
- e) A drying oven shall be of the gravity convection type.
- f) A desiccator may be a glass, glass and metal, or plastic model, depending upon the particular application.
- g) A hot plate shall have a selectable temperature control for safe heating of samples and laboratory reagents.
- h) Glassware which is used for purposes that may subject it to damage from heat or chemicals shall be of borosilicate glass. All volumetric glassware shall be Class A, denoting that it meets federal specifications and is certified by the manufacturer as meeting the standards established by the American Society for Testing and Materials (ASTM).
- i) A muffle furnace shall be automatically controlled with a chamber capacity of at least 2200 cubic centimeters. The maximum operating temperature of the muffle furnace shall be at least 1100° C intermittent and 1000° C continuous.
- j) A centrifuge shall be capable of attaining a speed of at least 3000 rpm and shall have a loading option of 4 x 50 mL capacity.
- k) A fluorometer shall be capable of detecting 0.0005 micrograms of uranium.
- l) A liquid-scintillation system shall be such that the sensitivity of

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the radioanalysis meets or exceeds the standards specified in this Part.

m) A gas-flow proportional counting system or other low background alpha-particle and beta-particle counting system shall have a cosmic guard detector operated in anticoincidence with the signal from the sample detector and shielding, such that the alpha-particle background will not exceed 0.2 cpm and the beta-particle background will not exceed 2.0 cpm for a 2 inch diameter counting planchet geometry. The system shall be such that the sensitivity of the radioanalysis will meet or exceed the standards specified in this Part.

n) A scintillation system designed for alpha-particle counting and used for the measurement of gross alpha activities or radium-226 shall include a Mylar disc coated with a phosphor (silver-activated zinc sulfide) which is placed either directly on the sample or on the face of a photomultiplier tube and is enclosed in a light-tight container. The system shall also include appropriate electronics (high voltage supply, amplifier, timer and scaler).

o) A scintillation cell system for the specific measurement of radium-226 by the radon emanation method shall include a light-tight enclosure capable of accepting the scintillation cells, a detector (phototube) and the appropriate electronics (high voltage supply, amplifier, timer and scaler).

p) A gamma-ray spectrometer system shall include a thallium-activated sodium iodide (NaI(Tl)) crystal, a solid state lithium drifted germanium (Ge(Li)) detector, a high purity germanium detector or a gamma-X photon detector connected to a multichannel pulse-height analyzer.

1) If a sodium iodide detector is used, the crystal shall be, at minimum, a 7.5 cm x 7.5 cm cylindrical crystal, or preferably, a 10 cm x 10 cm crystal. A minimum shielding equivalent to 10 cm of iron shall surround the detector. The multichannel pulse-height analyzer, in addition to appropriate electronics, shall contain a memory of not less than 250 channels and at least one readout device.

2) If a lithium-drifted germanium detector, a high purity germanium detector or a gamma-X photon detector is used, a minimum shielding equivalent to 10 cm of iron shall surround the detector. The multichannel analyzer, in addition to appropriate electronics, shall contain a memory of not less than 2000 channels and at least one readout device.

Section 406.230 General Laboratory Practices

a) Prior to use, all plastic or glass labware shall be washed in a warm detergent solution and thoroughly rinsed, first in tap water and then in distilled or deionized water. Cleaned labware shall be stored in a manner to keep it clean. This cleaning procedure is sufficient for most analytical needs, but the procedures specified for individual

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parameters shall be referred to for more elaborate precautions to be taken against contamination of labware.

- b) Distilled or deionized water shall have resistivity values of at least 1.0 megohm/cm (conductivity less than 1.0 micromhos/cm) at 25° C.
- c) When commercially available, chemicals certified by the manufacturer as being "analytical reagent grade" as specified by the American Chemical Society (ACS) or higher quality chemicals shall be used for all procedures.
- d) An enclosed, properly labeled area shall be available for the safe storage of radioactive materials.
- e) There shall be a designated area within the laboratory for preparation of radioactive standards and samples. Appropriate precautions shall be taken in this area to minimize radiation exposure and to prevent radioactive contamination. Provisions shall be made for safe storage and disposal of radioactive wastes and for monitoring the work area.

Section 406.240 Analytical Methodology

- a) The methods listed in the table in Section 141.25(a), "Analytical Methods for Radioactivity", 40 CFR 141, National Primary Drinking Water Regulations effective as of March 5, 1997, published at 62 FR 10173 - 10174 are to be used to determine compliance with this Part (See Agency Note in Section 406.25 of this Part).
- b) When the identification and measurement of radionuclides other than those listed in subsection (a) of this Section is required, the methods designated for water analysis in the following references are to be followed:
 - 1) H. L. Krieger and S. Gold, "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions," EPA-R4-73-014, U.S. Environmental Protection Agency, Cincinnati, Ohio (May 1973); or
 - 2) John H. Harley, ed., "HASL Procedure Manual," HASL-300, Environmental Measurement Laboratory, New York, New York (1997).

- c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit shall be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96 sigma (s) where sigma (s) is the standard deviation of the net counting rate of the sample). The standards for detection limits of radioanalyses are as follows:
 - 1) To determine compliance with maximum allowable concentration levels for radium-226 and radium-228, the detection limit shall not exceed 1 pCi/L.
 - 2) To determine compliance with maximum allowable concentration levels for gross alpha activity (including radium-226, but excluding radon and uranium) the detection limit shall not exceed 3 pCi/L.
 - 3) To determine compliance with maximum allowable concentration

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levels for beta-particle and photon radioactivity, the detection limits shall not exceed the following concentrations:

Radionuclide	Detection Limit
Tritium	1000 pCi/L
Strontium-89	10 pCi/L
Strontium-90	2 pCi/L
Iodine-131	1 pCi/L
Cesium-134	10 pCi/L
Gross beta	4 pCi/L
Other radionuclides[a]	1/10 of the applicable limit

AGENCY NOTE:

[a] As calculated from "Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure," National Bureau of Standards Handbook 69, August 1963, U.S. Department of Commerce.

- d) To determine compliance with the applicable maximum contaminant levels, averages of data shall be used and shall be rounded to the same number of significant digits as stated in the maximum contaminant level established for the substance in question.

- e) The Department may, upon written application, approve the use of an alternative analytical technique. An alternative analytical technique shall not be approved unless the Department determines that the technique is substantially equivalent to the prescribed test both in precision and accuracy as it relates to the determination of compliance with the applicable maximum contaminant level. Such approval shall be in writing and shall not be effective without the concurrence of the Administrator of the U.S. Environmental Protection Agency.

Section 406.250 Sample Collection, Handling and Preservation

The following requirements for container types and preservation shall be met for each individual parameter[a]:

Parameter	Preservative[b]	Container[c]
Gross alpha	Conc HCl or HNO ₃ to pH less than 2[d]	P or G
Gross beta	Conc HCl or HNO ₃ to pH less than 2[d]	P or G

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Strontium-89	Conc HCl or HNO ₃ to pH less than 2	P or G
Strontium-90	Conc HCl or HNO ₃ to pH less than 2	P or G
Radium-226	Conc HCl or HNO ₃ to pH less than 2	P or G
Radium-228	Conc HCl or HNO ₃ to pH less than 2	P or G
Cesium-134	Conc HCl to pH less than 2	P or G
Iodine-131	NONE	P or G
Tritium	NONE	P or G
Uranium	Conc HCl or HNO ₃ to pH less than 2	P or G
Photon emitters	Conc HCl or HNO ₃ to pH less than 2	P or G

AGENCY NOTES:

- [a] If a laboratory has no control over these factors, the laboratory director must reject any samples not meeting these criteria and so notify the authority requesting the analyses.
- [b] Preservative shall be added to the sample at the time of collection, unless suspended solids are to be measured or unless the concentrated acid specified for preservation cannot be added because of shipping restrictions. If it is necessary to ship the sample unpreserved to the laboratory or storage area, acidification may be delayed up to 5 days. After acidification, samples shall be thoroughly mixed and then preserved for a minimum of 16 hours before analysis.
- [c] P = Plastic, hard or soft; G = Glass, borosilicate or flint.
- [d] If HCl is used to acidify samples to be analyzed for gross alpha or gross beta activity, the acid salts shall be converted to nitrate salts before transfer of samples to planchets.

Section 406.260 Quality Assurance

- a) A written description of the current laboratory quality assurance program shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place. A record of analytical quality assurance tests and quality assurance checks on materials and equipment shall be prepared and retained for at least 3 years.
- b) A laboratory manual containing complete written instructions for each parameter or method for which the laboratory is certified shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place.
- c) The laboratory shall participate at least twice per year in those U.S. Environmental Protection Agency Performance Evaluation Studies that

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- include parameters and methods for which the laboratory is or desires to be certified. Analytical results shall be within 1.73 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982," EPA-600/4-81-004, Table 3, U.S. Environmental Protection Agency (1982). Results shall be provided to the Department within 90 days after receipt of the performance evaluation sample.
- d) The laboratory shall participate at least once per year in the blind Performance Evaluation Study administered by the U.S. Environmental Protection Agency. Analytical results shall be within 1.73 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982," EPA-600/4-81-004, Table 3, U.S. Environmental Protection Agency (1982), for each parameter or method for which the laboratory is or desires to be certified. Results shall be provided to the Department within 90 days after receipt of the blind performance evaluation sample.
- e) Operating manuals and calibration protocols for counting instruments shall be available to laboratory personnel.
- f) Calibration data and maintenance records on all radiation instruments shall be maintained in a permanently bound record.
- g) The following quality control procedures shall be utilized by the laboratory on a daily basis:
- 1) To verify internal laboratory precision for a specific analysis, 10 percent or more duplicate analyses shall be performed. If the difference between duplicate analyses exceeds two times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982," EPA-600/4-81-004, Table 3, U.S. Environmental Protection Agency (1982), prior measurements are suspect, calculations and procedures shall be examined and samples shall be re-analyzed when necessary.
 - 2) When 20 or more specific analyses are performed each day, a performance standard and a background sample shall be measured along with the samples, except for low level gamma counting.
 - 3) Quality control performance charts or records shall be maintained for each instrument.
- h) Weights certified by the manufacturer as meeting the requirements established by the American Society for Testing and Materials (ASTM) for Class "1" weights shall be available at the laboratory and used to make periodic checks on balances.
- i) Chemicals shall be dated upon receipt of shipment and replaced before shelf life has been exceeded.
- j) The laboratory should prepare and follow a written quality assurance

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(QA) plan. The following items should be addressed in each QA plan:

- 1) Sampling procedures;
- 2) Sample handling procedures, which specify the methods used to maintain the integrity of all samples (i.e., tracking samples from receipt by laboratory through analysis to final disposition), and provide for maintaining and documenting the chain of custody of samples identified to the laboratory as likely to be the basis for enforcement actions;
- 3) Instrument or equipment calibration procedures and frequency of their use;
- 4) Analytical procedures;
- 5) Data reduction, validation and reporting, including conversion of raw data to final reported results, insuring accuracy of data transcription and calculations, and procedures and format for reporting data to water supply operators, the Department, and other state and federal agencies;
- 6) Types of quality control checks and frequency of their use, which may include preparation of calibration curves, instrument calibrations, replicate analyses, use of quality control samples or calibration standards, and use of quality control charts;
- 7) Preventive maintenance procedures and schedules;
- 8) Specific routine procedures used to determine data precision and accuracy for each contaminant measured. Precision is determined based on the results of replicate analyses. Accuracy is normally determined by comparison of results with known concentrations in reagent water standards and by analyses of water matrix samples before and after adding a known contaminant spike;
- 9) Corrective action contingencies, specifying the laboratory's response to obtaining unacceptable results from analysis of performance evaluation samples and from internal quality control checks;
- 10) Laboratory organization and responsibility, including a chart or table showing the laboratory organization and line of authority, and listing the key individuals who are responsible for ensuring the production of valid measurements and for the routine assessment of measurement systems for precision and accuracy (e.g., who is responsible for internal audits and reviews of the implementation of the plan and its requirements).

k) The quality assurance plan may be a separately prepared quality assurance document or may incorporate by reference already available standard operation procedures (SOPs) that are approved by the laboratory director and that address the items listed in subsection (j) of this Section. If a particular listed item is not relevant, the quality assurance plan should state this and provide a brief explanation (e.g., some laboratories do not collect samples and thus are not required to describe sampling procedures). A laboratory quality assurance plan should be concise but responsive to the items listed in subsection (j) of this Section. Minimizing paperwork while

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improving the dependability and quality of data are the intended goals.

Section 406.270 Record Maintenance

- a) Compliance monitoring activities shall be performed using the analytical methodology specified in Section 406.240(a) and (b) of this Part or approved in accordance with Section 406.240(e) of this Part. These activities shall be in accordance with written procedures for sample handling. These procedures shall provide for establishing and maintaining an accurate written record that documents the possession and handling of samples.
- b) Records of radiochemical analyses shall be kept by the laboratory for at least 3 years. This includes raw data, calculations, quality assurance data and reports. Actual laboratory reports may be kept. However, data, with the exception of the results of testing the compliance check samples required by Section 406.260(c) and (d) of this Part, may be transferred to tabular summaries that shall include the following information:
 - 1) Date, place and time of sampling;
 - 2) Name of person who collected the sample;
 - 3) Identification of the sample origin, such as routine distribution sample, check sample, raw or process water sample, surface or ground water sample or other special purpose samples;
 - 4) Date of receipt of sample;
 - 5) Date of sample analysis;
 - 6) Name of the persons responsible for performing the analysis;
 - 7) Analytical techniques or methods used; and
 - 8) Results of the analysis.
- c) Computer programs designed and developed in-house shall be verified initially by manual calculations and the calculations shall be available for inspection.
- d) The disposal of all records subject to the Local Records Act [50 ILCS 205] must be in accordance with the provisions of that Act.

Section 406.280 Action Response to Laboratory Results

When action response is a designated responsibility of the laboratory and laboratory results indicate that a maximum allowable concentration of any parameter has been exceeded, the laboratory shall notify the person requesting the analysis within 2 business days after obtaining the unsatisfactory sample result.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Primary Drinking Water Standards
- 2) Code Citation: 35 Ill. Adm. Code 611
- 3) Section Number
611.102 Adopted Action
611.720 Amended
Amended
- 4) Statutory Authority: 415 ILCS 5/7.2, 13.3 and 27
- 5) Effective Date of Amendments: March 5, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes, amendments to this Part contain several incorporations by reference found in 35 Ill. Adm. Code 611.102 of the Board's February 19, 1998 opinion and order.
- 8) Date filed in Board's principal office: March 5, 1997 (62 Fed. Reg. 10168)
- 9) Notice of proposal published in Illinois Register: 21 Ill. Reg. 16956 (December 26, 1997)
- 10) Has JCAR issued a statement of objections to these rules? No
- 11) Differences between proposal and final version: After the Board adopted the proposal on December 4, 1997, JCAR made several recommended corrections to the proposed amendments for the sake of clarification and consistency. The changes suggested by JCAR were not substantive in nature. The Board also received comments from Connie L. Tonsor, attorney for the Illinois Environmental Protection Agency. In general, Ms. Tonsor requested that the Board make a few non-substantive changes to the proposed amendments. These recommended changes have been incorporated into the final rule.
- At the request of JCAR and Ms. Tonsor, the following amendments were made to the proposal:

Line Number	Description of Change
274	Deleted comma
277	Deleted comma
280	Deleted comma
282	Deleted comma
310	Changed "18th" to "19th"
312	After line 312, added "Method 6610, Carbamate Pesticide."

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- 467 Added comma after "Wastewater"
- 469 Changed comma to period; add "-B, Gamma Spectrometric Method" after "Method 7120"
- 470 Added a period at end of line
- 471 Delete "Method 6610, Carbamate Pesticides."
- 555-559 Underlined added language
- 588 Deleted comma
- 589 Added close quote after "methods"
- 590 Omitted period
- 625 Omitted period
- 632 Omitted period
- 636 Omitted period
- 654 Changed "1980" to "1990"
- 656 Added comma after "Institute"
- 669 Changed "Available" to "available"
- 671 Deleted comma after "376" and changed period to colon
- 730-731 Corrected Source Note
- 761 Added hyphen between "Radium" and "226"
- 763 and 764 Added a space after "D"
- 772 deleted "page 13, page 14" and add "pages 13 and 16"
- 779 Add hyphen between "Radium" and "228"
- 780 and 781 Deleted hyphen after "D"
- 787 deleted "or"
- 788 deleted period and added "; or"
- 788 after line 788, add "H) New Jersey Radium Method."
- 795 Deleted line
- 796 Deleted "C" and renamed "B"
- 797 Deleted "D" and renamed "C"
- 798 Deleted "E" and renamed "D"
- 799 Deleted "F" and renamed "E"
- 808 Lowercase "Ed"
- 822 Lowercase "Ed"
- 857 Lowercase "Ed"
- 891 Corrected Source Note
- The following is a list of changes that were not made as they would substantially change the meaning of the rule:
- 554 Did not underline as this language is not new
- 669 Changed "Available" to "available" rather than "Revised" to "revised" as "revised" is not found in this line
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 611
PRIMARY DRINKING WATER STANDARDS

SUBPART A: GENERAL

Section	Purpose, Scope and Applicability
611.100	Definitions
611.101	Incorporations by Reference
611.102	Severability
611.107	Agency Inspection of PWS Facilities
611.108	Delegation to Local Government
611.109	Enforcement
611.110	Special Exception Permits
611.111	Section 1415 Variances
611.111	Section 1416 Variances
611.112	Alternative Treatment Techniques
611.113	Siting requirements
611.114	Source Water Quantity
611.115	Effective dates
611.120	Maximum Containment Levels and Finished Water Quality
611.121	Fluoridation Requirement
611.125	Prohibition on Use of Lead
611.126	Special Requirements for Certain Variances and Adjusted Standards
611.130	

SUBPART B: FILTRATION AND DISINFECTION

Section	Requiring a Demonstration
611.201	Procedures for Agency Determinations
611.202	Filtration Required
611.211	Groundwater under Direct Influence of Surface Water
611.212	No Method of HPC Analysis
611.213	General Requirements
611.220	Filtration Effective Dates
611.230	Source Water Quality Conditions
611.231	Site-specific Conditions
611.232	Treatment Technique Violations
611.240	Disinfection
611.241	Unfiltered PWSs
611.242	Filtered PWSs
611.250	Filtration
611.261	Unfiltered PWSs: Reporting and Recordkeeping
611.262	Filtered PWSs: Reporting and Recordkeeping

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NOTICE OF ADOPTED AMENDMENTS

- 13) Will these amendments replace an emergency rule currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments: This rulemaking is mandated by Section 13.3 of the Environmental Protection Act (Act). Section 13.3 of the Act requires the Board to adopt regulations which are identical-in-substance with federal regulations promulgated by the USEPA to implement the Safe Drinking Water Act (42 U.S.C Section 300f et seq. (1996)). The adopted amendments were adopted by USEPA between January 1, 1997, and June 30, 1997.
- The stated statewide policy objectives are set forth in Section 11 of the Act. This rule may affect units of local government to the extent they apply analytical methods for compliance with current radionuclide drinking water standards and monitoring requirements. Entities potentially regulated by this action are public water systems that have at least 15 service connections or regularly serve an average of at least 25 individuals daily at least 60 days out of the year.

- 16) Information and questions regarding the adopted amendment shall be directed to:

Amy Muran Felton, Attorney
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312-814-7011

Requests for copies of the February 19, 1998 opinion and order should be addressed to Victoria Agreman, at 312-814-3620 or at the above address and should reference Docket R98-2.

The full text of the adopted amendments begins on the next page:

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611.271 Protection during Repair Work
611.272 Disinfection following Repair

SUBPART C: USE OF NON-CENTRALIZED TREATMENT DEVICES

Section
611.280 Point-of-Entry Devices
611.290 Use of Point-of-Use Devices or Bottled Water

SUBPART D: TREATMENT TECHNIQUES

Section
611.295 General Requirements
611.296 Acrylamide and Epichlorohydrin
611.297 Corrosion Control

SUBPART F: MAXIMUM CONTAMINANT LEVELS (MCL's)

Section
611.300 Old MCLs for Inorganic Chemicals
611.301 Revised MCLs for Inorganic Chemicals
611.310 Old MCLs for Organic Chemicals
611.311 Revised MCLs for Organic Contaminants
611.320 Turbidity
611.325 Microbiological Contaminants
611.330 Radium and Gross Alpha Particle Activity
611.331 Beta Particle and Photon Radioactivity

SUBPART G: LEAD AND COPPER

Section
611.350 General Requirements
611.351 Applicability of Corrosion Control
611.352 Corrosion Control Treatment
611.353 Source Water Treatment
611.354 Lead Service Line Replacement
611.355 Public Education and Supplemental Monitoring
611.356 Tap Water Monitoring for Lead and Copper
611.357 Monitoring for Water Quality Parameters
611.358 Monitoring for Lead and Copper in Source Water
611.359 Analytical Methods
611.360 Reporting
611.361 Recordkeeping

SUBPART K: GENERAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.480 Alternative Analytical Techniques

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611.490 Certified Laboratories
611.491 Laboratory Testing Equipment
611.500 Consecutive PWSS
611.510 Special Monitoring for Unregulated Contaminants

SUBPART L: MICROBIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.521 Routine Coliform Monitoring
611.522 Repeat Coliform Monitoring
611.523 Invalidation of Total Coliform Samples
611.524 Sanitary Surveys
611.525 Fecal Coliform and E. Coli Testing
611.526 Analytical Methodology
611.527 Response to Violation
611.531 Analytical Requirements
611.532 Unfiltered PWSS
611.533 Filtered PWSS

SUBPART M: TURBIDITY MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.560 Turbidity

SUBPART N: INORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section
611.591 Violation of State MCL
611.592 Frequency of State Monitoring
611.600 Applicability
611.601 Monitoring Frequency
611.602 Asbestos Monitoring Frequency
611.603 Inorganic Monitoring Frequency
611.604 Nitrate Monitoring
611.605 Nitrite Monitoring
611.606 Confirmation Samples
611.607 More Frequent Monitoring and Confirmation Sampling
611.608 Additional Optional Monitoring
611.609 Determining Compliance
611.610 Inorganic Monitoring Times
611.611 Inorganic Analysis
611.612 Monitoring Requirements for Old Inorganic MCLs
611.630 Special Monitoring for Sodium
611.631 Special Monitoring for Inorganic Chemicals

SUBPART O: ORGANIC MONITORING AND ANALYTICAL REQUIREMENTS

Section

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NOTICE OF ADOPTED AMENDMENTS

611.640 Definitions
 611.641 Old MCLs
 611.645 Analytical Methods for Organic Chemical Contaminants
 611.646 Phase I, Phase II, and Phase V Volatile Organic Contaminants
 611.647 Sampling for Phase I Volatile Organic Contaminants (Repealed)
 611.648 Phase II, Phase IIB, and Phase V Synthetic Organic Contaminants
 611.650 Monitoring for 36 Contaminants (Repealed)
 611.657 Analytical Methods for 36 Contaminants (Repealed)
 611.658 Special Monitoring for Organic Chemicals

SUBPART P: THM MONITORING AND ANALYTICAL REQUIREMENTS

Section
 611.680 Sampling, Analytical and other Requirements
 611.683 Reduced Monitoring Frequency
 611.684 Averaging
 611.685 Analytical Methods
 611.686 Modification to System
 611.687 Sampling for THM Potential

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section
 611.720 Analytical Methods
 611.731 Gross Alpha
 611.732 Manmade Radioactivity

SUBPART T: REPORTING, PUBLIC NOTIFICATION AND RECORDKEEPING

Section
 611.830 Applicability
 611.831 Monthly Operating Report
 611.832 Notice by Agency
 611.833 Cross Connection Reporting
 611.840 Reporting
 611.851 Reporting MCL and other Violations
 611.852 Reporting other Violations
 611.853 Notice to New Billing Units
 611.854 General Content of Public Notice
 611.855 Mandatory Health Effects Language
 611.856 Fluoride Notice
 611.858 Fluoride Secondary Standard
 611.860 Record Maintenance
 611.870 List of 36 Contaminants

APPENDIX A Mandatory Health Effects Information
 APPENDIX B Percent Inactivation of G. Lamblia Cysts
 APPENDIX C Common Names of Organic Chemicals

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APPENDIX D Defined Substrate Method for the Simultaneous Detection of Total Coliforms and Escherichia Coli from Drinking Water
 APPENDIX E Mandatory Lead Public Education Information
 TABLE A Total Coliform Monitoring Frequency
 TABLE B Fecal or Total Coliform Density Measurements
 TABLE C Frequency of RDC Measurement
 TABLE D Number of Lead and Copper Monitoring Sites
 TABLE E Lead and Copper Monitoring Start Dates
 TABLE F Number of Water Quality Parameter Sampling Sites
 TABLE G Summary of Monitoring Requirements for Water Quality Parameters
 TABLE Z Federal Effective Dates

AUTHORITY: Implementing Sections 17 and 17.5 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 and 27].

SOURCE: Adopted in R88-26 at 14 Ill. Reg. 16517, effective September 20, 1990; amended in R90-21 at 14 Ill. Reg. 20448, effective December 11, 1990; amended in R90-13 at 15 Ill. Reg. 1562, effective January 22, 1991; amended in R91-3 at 16 Ill. Reg. 19010, effective December 1, 1992; amended in R92-3 at 17 Ill. Reg. 7796, effective May 18, 1993; amended in R93-1 at 17 Ill. Reg. 12650, effective July 23, 1993; amended in R94-4 at 18 Ill. Reg. 12291, effective July 28, 1994; amended in R94-23 at 19 Ill. Reg. 8613, effective June 20, 1995; amended in R95-17 at 20 Ill. Reg. 14493, effective October 22, 1996; amended in R98-2 at 22 Ill. Reg. 5020, effective MAR 5 1998.

NOTE: In this Part, superscript number or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART A: GENERAL

Section 611.102 Incorporations by Reference

a) Abbreviations and short-name listing of references. The following names and abbreviated names, presented in alphabetical order, are used in this Part to refer to materials incorporated by reference:

"Amco-AEPA-1 Polymer" is available from Advanced Polymer Systems.

"ASTM Method" means a method published by and available from the American Society for Testing and Materials (ASTM).

"Colisure Test" means "Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water", available from Millipore Corporation, Technical Services Department.

"Dioxin and Furan Method 1613" means "Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope-Dilution

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HRGC/HRMS", available from NTIS.

"GLI Method 2" means GLI Method 2, "Turbidity", Nov. 2, 1992, available from Great Lakes Instruments, Inc.

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems Using Surface Water Sources", available from USEPA Science and Technology Branch.

"HASL Procedure Manual" means HASL Procedure Manual, HASL 300, available from ERDA Health and Safety Laboratory.

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, available from NCRP.

"NCRP" means "National Council on Radiation Protection".

"NTIS" means "National Technical Information Service".

"New Jersey Radium Method" means "Determination of Radium 228 in Drinking Water", available from the New Jersey Department of Environmental Protection.

"New York Radium Method" means "Determination of Ra-226 and Ra-228 (Ra-02)", available from the New York Department of Public Health.

"ONCP-WUG Test" (meaning "minimal medium ortho-nitrophenyl-beta-D-galactopyranoside-4-methyl-umbelliferyl-beta-D-glucuronide test"), also called the "Autoanalysis Collet System", is method 9223, available in "Standard Methods for the Examination of Water and Wastewater", 18th ed., from American Public Health Association.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", available from NTIS.

"Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", available from NTIS.

"Standard Methods", means "Standard Methods for the Examination of Water and Wastewater", available from the American Public Health Association or the American Waterworks Association.

"Technical Bulletin 601" means "Technical Bulletin 601, "Standard

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Method of Testing for Nitrate in Drinking Water", July, 1994, available from Analytical Technology, Inc.

"Technicon Methods" means "Fluoride in Water and Wastewater", available from Technicon.

"USDOE Manual" means "EML Procedures Manual", available from the United States Department of Energy.

"USEPA Asbestos Methods - 100.1" means Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water", available from NTIS.

"USEPA Asbestos Methods-100.2" means Method 100.2, "Determination of Asbestos Structures over 10-microm in Length in Drinking Water", available from NTIS.

"USEPA Environmental Inorganics Methods" means "Methods for the Determination of Inorganic Substances in Environmental Samples", available from NTIS.

"USEPA Environmental Metals Methods" means "Methods for the Determination of Metals in Environmental Samples", available from NTIS.

"USEPA Organic Methods" means "Methods for the Determination of Organic Compounds in Drinking Water", July, 1991, for Methods 502.2, 505, 507, 508, 508A, 515.1, and 531.1; "Methods for the Determination of Organic Compounds in Drinking Water--Supplement I", July, 1990, for Methods 506, 547, 550, 550.1, and 551; and "Methods for the Determination of Organic Compounds in Drinking Water--Supplement II", August, 1992, for Methods 515.2, 524.2, 548.1, 549.1, 552.1, and 555, available from NTIS. Methods 504.1, 508.1, and 525.2 are available from EPA EMSI.

"USGS Methods" means "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory--Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments", available from NTIS and USGS.

"USEPA Interim Radiochemical Methods" means "Interim Radiochemical Methodology for Drinking Water", EPA 600/4-75-008 (revised), March 1976. Available from NTIS.

"USEPA Radioactivity Methods" means "Prescribed Procedures for Measurement of Radioactivity in Drinking Water", EPA 600/4-80-032, August 1980. Available from NTIS.

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"USEPA Radiochemical Analyses" means "Radiochemical Analytical Procedures for Analysis of Environmental Samples", March 1979. Available from NTIS.

"USEPA Radiochemistry Methods" means "Radiochemistry Procedures Manual", EPA 520/5-84-006, December 1987. Available from NTIS.

"USEPA Technical Notes" means "Technical Notes on Drinking Water Methods", available from NTIS.

"Waters Method B-1011" means "Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography", available from Millipore Corporation, Waters Chromatography Division.

b) The Board incorporates the following publications by reference:

Access Analytical Systems, Inc., See Environetics, Inc.

Advanced Polymer Systems, 3696 Haven Avenue, Redwood City, CA 94063 415-366-2626:

Amco-AEPA-1 Polymer. See 40 CFR 141.22(a) (1995). Also, as referenced in ASTM D1889.

American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005 800-645-5476:

"Standard Methods for the Examination of Water and Wastewater", 17th Edition 1989 (referred to as "Standard Methods, 17th ed.").

"Standard Methods for the Examination of Water and Wastewater", 18th Edition, 1992, including "Supplement to the 18th Edition of Standard Methods for the Examination of Water and Wastewater", 1994 (collectively referred to as "Standard Methods, 18th ed."). See the methods listed separately for the same references under American Water Works Association.

"Standard Methods for the Examination of Water and Wastewater", 19th Edition, 1995 (referred to as "Standard Methods, 19th ed.").

American Water Works Association et al., 6666 West Quincy Avenue, Denver, CO 80235 303-794-7711:

Standard Methods for the Examination of Water and

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Wastewater, 13th Edition, 1971 (referred to as "Standard Methods, 13th ed.").

Method 302, Gross Alpha and Gross Beta Radioactivity in Water (Total, Suspended and Dissolved).

Method 303, Total Radioactive Strontium and Strontium 90 in Water.

Method 304, Radium in Water by Precipitation.

Method 305, Radium 226 by Radon in Water (Soluble, Suspended and Total).

Method 306, Tritium in Water.

Standard Methods for the Examination of Water and Wastewater, 18th Edition, 1992 (referred to as "Standard Methods, 18th ed."):

Method 2130 B, Turbidity, Nephelometric Method.

Method 2320 B, Alkalinity, Titration Method.

Method 2510 B, Conductivity, Laboratory Method.

Method 2550, Temperature, Laboratory and Field Methods.

Method 3111 B, metals by Flame Atomic Absorption Spectrometry, Direct Air-Acetylene Flame Method.

Method 3111 D, Metals by Flame Atomic Absorption Spectrometry, Direct Nitrous Oxide-Acetylene Flame Method.

Method 3112 B, Metals by Cold-Vapor Atomic Absorption Spectrometry, Cold-Vapor Atomic Absorption Spectrometric Method.

Method 3113 B, Metals by Electrothermal Atomic Absorption Spectrometry, Electrothermal Atomic Absorption Spectrometric Method.

Method 3114 B, Metals by Hydride Generation/Atomic Absorption Spectrometry, Manual Hydride Generation/Atomic Absorption Spectrometric Method.

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Method 3120 B, Metals by Plasma Emission Spectroscopy, Inductively Coupled Plasma (ICP) Method.

Method 3500-Ca D, Calcium, EDTA Titrimetric Method.

Method 4110 B, Determination of Anions by Ion Chromatography, Ion Chromatography with Chemical Suppression of Eluent Conductivity.

Method 4500-CN C, Cyanide, Total Cyanide after Distillation.

Method 4500-CN E, Cyanide, Colorimetric Method.

Method 4500-CN F, Cyanide, Cyanide-Selective Electrode Method.

Method 4500-CN G, Cyanide, Cyanides Amenable to Chlorination after Distillation.

Method 4500-Cl D, Chlorine (Residual), Amperometric Titration Method.

Method 4500-Cl E, Chlorine (Residual), Low-Level Amperometric Titration Method.

Method 4500-Cl F, Chlorine (Residual), DPD Ferrous Titrimetric Method.

Method 4500-Cl G, Chlorine (Residual), DPD Colorimetric Method.

Method 4500-Cl H, Chlorine (Residual), Syringaldazine (FACTS) Method.

Method 4500-Cl I, Chlorine (Residual), Iodometric Electrode Technique.

Method 4500-ClO[2] C, Chlorine Dioxide, Amperometric Method I.

Method 4500-ClO[2] D, Chlorine Dioxide, DPD Method.

Method 4500-ClO[2] E, Chlorine Dioxide, Amperometric Method II (Proposed).

Method 4500-F B, Fluoride, Preliminary Distillation Step.

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Method 4500-F C, Fluoride, Ion-Selective Electrode Method.

Method 4500-F D, Fluoride, SPADNS Method.

Method 4500-F E, Fluoride, Complexone Method.

Method 4500-H(+) B, pH Value, Electrometric Method.

Method 4500-NO[2] B, Nitrogen (Nitrite), Colorimetric Method.

Method 4500-NO[3] D, Nitrogen (Nitrate), Nitrate Electrode Method.

Method 4500-NO[3] E, Nitrogen (Nitrate), Cadmium Reduction Method.

Method 4500-NO[3] F, Nitrogen (Nitrate), Automated Cadmium Reduction Method.

Method 4500-O[3] B, Ozone (Residual) (Proposed), Indigo Colorimetric Method.

Method 4500-P E, Phosphorus, Ascorbic Acid Method.

Method 4500-P F, Phosphorus, Automated Ascorbic Acid Reduction Method.

Method 4500-Si D, Silica, Molybdosilicate Method.

Method 4500-Si E, Silica, Heteropoly Blue Method.

Method 4500-Si F, Silica, Automated Method for Molybdate-Reactive Silica.

Method 4500-SO[4](2-) C, Sulfate, Gravimetric Method with Ignition of Residue.

Method 4500-SO[4](2-) D, Sulfate, Gravimetric Method with Drying of Residue.

Method 4500-SO[4](2-) F, Sulfate, Automated Methylthymol Blue Method.

Method 6610, Carbamate Pesticide Method.

Method 6651, Glyphosate Herbicide (Proposed).

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Method 7110 B, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Evaporation Method for Gross Alpha-Beta.

Method 7110 C, Gross Alpha and Beta Radioactivity (Total, Suspended, and Dissolved), Coprecipitation Method for Gross Alpha Radioactivity in Drinking Water (Proposed).

Method 7500-Cs B, Radioactive Cesium, Precipitation Method.

Method 7500-3H, B, Tritium, Liquid Scintillation Spectrometric Method.

Method 7500-I B, Radioactive Iodine, Precipitation Method.

Method 7500-I C, Radioactive Iodine, Ion-Exchange Method.

Method 7500-I D, Radioactive Iodine, Distillation Method.

Method 7500-Ra B, Radium, Precipitation Method.

Method 7500-Ra C, Radium, Emanation Method.

Method 7500-Ra D, Radium, Sequential Precipitation Method (Proposed).

Method 7500-U B, Uranium, Radiochemical Method (Proposed).

Method 7500-U C, Uranium, Isotopic Method (Proposed).

Method 9215 B, Heterotrophic Plate Count, Pour Plate Method.

Method 9221 A, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Introduction.

Method 9221 B, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Standard Total Coliform Fermentation Technique.

Method 9221 C, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Estimation of

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Bacterial Density.

Method 9221 D, Multiple-Tube Fermentation Technique for Members of the Coliform Group, Presence-Absence (P-A) Coliform Test.

Method 9222 A, Membrane Filter Technique for Members of the Coliform Group, Introduction.

Method 9222 B, Membrane Filter Technique for Members of the Coliform Group, Standard Total Coliform Membrane Filter Procedure.

Method 9222 C, Membrane Filter Technique for Members of the Coliform Group, Delayed-Incubation Total Coliform Procedure.

Method 9223, Chromogenic Substrate Coliform Test (Proposed).

Standard Methods for the Examination of Water and Wastewater, 18th Edition Supplement, 1994 (Referred to as "Standard Methods, 18th ed.):

Standard Methods for the Examination of Water and Wastewater, 19th Edition, 1995 (Referred to as "Standard Methods, 19th ed.):

Method 7120-B, Gamma Spectrometric Method.

Method 7500-U C, Uranium, Isotopic Method.

Analytical Technology, Inc. ATI Orion, 529 Main Street, Boston, MA 02129:

Technical Bulletin 601, "Standard Method of Testing for Nitrate in Drinking Water", July 1994, PN 221890-001 (referred to as "Technical Bulletin 601").

ASTM, American Society for Testing and Materials, 1976 Race Street, Philadelphia, PA 19103 215-299-5585:

ASTM Method D511-93 A and B, "Standard Test Methods for Calcium and Magnesium in Water", "Test Method A-complexometric Titration" & "Test Method B-Atomic Absorption Spectrophotometric", approved 1993.

ASTM Method D515-88 A, "Standard Test Methods for Phosphorus

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in Water", "Test Method A--Colorimetric Ascorbic Acid Reduction", approved August 19, 1988.

ASTM Method D859-88 A, "Standard Test Method for Silica in Water", approved August 19, 1988.

ASTM Method D1067-92 B, "Standard Test Methods for Acidity or Alkalinity in Water", "Test Method B--Electrometric or Color-Change Titration", approved May 15, 1992.

ASTM Method D1125-91 A, "Standard Test Methods for Electrical Conductivity and Resistivity of Water", "Test Method A--Field and Routine Laboratory Measurement of Static (Non-Flowing) Samples", approved June 15, 1991.

ASTM Method D1179-93 B "Standard Test Methods for Fluoride in Water", "Test Method B--Ion Selective Electrode", approved 1993.

ASTM Method D1293-84 "Standard Test Methods for pH of Water", "Test Method A--Precise Laboratory Measurement" & "Test Method B--Routine or Continuous Measurement", approved October 26, 1984.

ASTM Method D1688-90 A or C, "Standard Test Methods for Copper in Water", "Test Method A--atomic Absorption, Direct" & "Test Method C--Atomic Absorption, Graphite Furnace", approved March 15, 1990.

ASTM Method D2036-91 A or B, "Standard Test Methods for Cyanide in Water", "Test Method A--Total Cyanides after Distillation" & "Test Method B--Cyanides Amenable to Chlorination by Difference", approved September 15, 1991.

ASTM Method D2459-72, "Standard Test Method for Gamma Spectrometry in Water", approved July 28, 1972, discontinued in 1988.

ASTM Method D2460-90, "Standard Test Method for Radionuclides of Radium in Water", approved 1990.

ASTM Method D2907-91, "Standard Test Methods for Microquantities of Uranium in Water by Fluorometry", "Test Method A--Direct Fluorometric" & "Test Method B--Extraction", approved June 15, 1991.

ASTM Method D2972-93 B or C, "Standard Test Methods for Arsenic in Water", "Test Method B--Atomic Absorption,

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Hydride Generation" & "Test Method C--Atomic Absorption, Graphite Furnace", approved 1993.

ASTM Method D3223-91, "Standard Test Method for Total Mercury in Water", approved September 23, 1991.

ASTM Method D3454-91, "Standard Test Method for Radium-226 in Water", approved 1991.

ASTM Method D3559-90 D, "Standard Test Methods for Lead in Water", "Test Method D--Atomic Absorption, Graphite Furnace", approved August 6, 1990.

ASTM Method D3645-93 B, "Standard Test Methods for Beryllium in Water", "Method B--Atomic Absorption, Graphite Furnace", approved 1993.

ASTM Method D3649-91, "Standard Test Method for High-Resolution Gamma-Ray Spectrometry of Water", approved 1991.

ASTM Method D3697-92, "Standard Test Method for Antimony in Water", approved June 15, 1992.

ASTM Method D3859-93 A, "Standard Test Methods for Selenium in Water", "Method A--Atomic Absorption, Hydride Method", approved 1993.

ASTM Method D3867-90 A and B, "Standard Test Methods for Nitrite-Nitrate in Water", "Test Method A--Automated Cadmium Reduction" & "Test Method B--Manual Cadmium Reduction", approved January 10, 1990.

ASTM Method D3972-90, "Standard Test Method for Isotopic Uranium in Water by Radiochemistry", approved 1990.

ASTM Method D4107-91, "Standard Test Method for Tritium in Drinking Water", approved 1991.

ASTM Method D4327-91, "Standard Test Method for Anions in Water by Ion Chromatography", approved October 15, 1991.

Method-66107-Carbamate-Pesticides:

ASTM Method D4785-88, "Standard Test Method for Low-Level Iodine-131 in Water", approved 1988.

ASTM Method D5174-91, "Standard Test Method for Trace

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Uranium in Water by Pulsed-Laser Phosphorimetry", approved 1991.

ERDA Health and Safety Laboratory, New York, NY:

HASL Procedure Manual, HASL 300, 1973. See 40 CFR 141.25(b)(2) (1995).

Great Lakes Instruments, Inc., 8855 North 55th Street, Milwaukee, WI 53223:

GLI Method 2, "Turbidity", Nov. 2, 1992.

Millipore Corporation, Technical Services Department, 80 Ashby Road, Milford, MA 01730 800-654-5476:

Colisure Presence/Absence Test for Detection and Identification of Coliform Bacteria and Escherichia Coli in Drinking Water, February 28, 1994 (referred to as "Colisure Test").

Millipore Corporation, Waters Chromatography Division, 34 Maple St., Milford, MA 01757 800-252-4752:

Waters Test Method for the Determination of Nitrite/Nitrate in Water Using Single Column Ion Chromatography, Method B-1011 (referred to as "Waters Method B-1011").

NCRP. National Council on Radiation Protection, 7910 Woodmont Ave., Bethesda, MD 301-657-2652:

"Maximum Permissible Body Burdens and Maximum Permissible Concentrations of Radionuclides in Air and in Water for Occupational Exposure", NCRP Report Number 22, June 5, 1959.

NTIS. National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161 (703) 487-4600 or (800) 553-6847:

"Interim Radiochemical Methodology for Drinking Water", EPA 600/4-75-008 (revised), March 1976 (referred to as "USEPA Interim Radiochemical Methods"). (Pages 1, 4, 6, 9, 13, 16, 24, 29, 34)

Method 100.1, "Analytical Method for Determination of Asbestos Fibers in Water", EPA-600/4-83-043, September, 1983, Doc. No. PB83-160471 (referred to as "USEPA Asbestos Methods-100.1").

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Method 100.2, "Determination of Asbestos Structures over 10-microm in Length in Drinking Water", EPA-600/4-83-043, June, 1994, Doc. No. PB94-201902 (referred to as "USEPA Asbestos Methods-100.2").

"Methods for Chemical Analysis of Water and Wastes", March, 1983, Doc. No. PB84-128677 (referred to as "USEPA Inorganic Methods"). (Methods 150.1, 150.2, and 245.2, which formerly appeared in this reference, are available from USEPA EMSL.)

"Methods for the Determination of Metals in Environmental Samples", June, 1991, Doc. No. PB91-231498 (referred to as "USEPA Environmental Metals Methods").

"Methods for the Determination of Organic Compounds in Drinking Water", December, 1988, revised July, 1991, EPA-600/4-88/039 (referred to as "USEPA Organic Methods"). (For methods 502.2, 505, 507, 508, 508A, 515.1 and 531.1.)

"Methods for the Determination of Organic Compounds in Finished Drinking Water--Supplement I", July, 1990, EPA-600-4-90-020 (referred to as "USEPA Organic Methods"). (For methods 506, 547, 550, 550.1, and 551.)

"Methods for the Determination of Organic Compounds in Finished Drinking Water--Supplement II", August, 1992, EPA-600/R-92-129 (referred to as "USEPA Organic Methods"). (For methods 515.2, 524.2, 548.1, 549.1, 552.1 and 555.)

"Prescribed Procedures for Measurement of Radioactivity in Drinking Water", EPA 600/4-80-032, August 1980 (referred to as "USEPA Radioactivity Methods"). (Methods 900, 901, 901.1, 902, 903, 903.1, 904, 905, 906, 908, 908.1)

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", H.L. Krieger and S. Gold, EPA-R4-73-014, May, 1973, Doc. No. PB22-154/7BA.

"Radiochemical Analytical Procedures for Analysis of Environmental Samples", March, 1979, Doc. No. EMSL/V 053917 (referred to as "USEPA Radiochemical Analyses"). (Pages 1, 19, 33, 65, 87, 92)

"Radiochemistry Procedures Manual", EPA-520/5-84-006, December, 1987, Doc. No. PB-84-215581 (referred to as "USEPA Radiochemistry Methods"). (Methods 00-01, 00-02, 00-07, H-02, Ra-03, Ra-04, Ra-05, Sr-04)

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"Technical Notes on Drinking Water Methods", EPA-600/R-94-173, October, 1994, Doc. No. PB-104766 (referred to as "USEPA Technical Notes").

BOARD NOTE: USEPA made the following assertion with regard to this reference at 40 CFR 141.23(k)(1) and 141.24(e) and (n)(11) (1995): This document contains other analytical test procedures and approved analytical methods that remain available for compliance monitoring until July 1, 1996.

"Tetra- through Octa-Chlorinated Dioxins and Furans by Isotope Dilution HRGC/HRMS", October, 1994, EPA-821-B-94-005 (referred to as "Dioxin and Furan Method 1613").

New Jersey Department of Environment, Division of Environmental Quality, Bureau of Radiation and Inorganic Analytical Services, 9 Ewing Street, Trenton, NJ 08625:

"Determination of Radium 228 in Drinking Water", August 1990.

New York Department of Health, Radiological Sciences Institute, Center for Laboratories and Research, Empire State Plaza, Albany, NY 12201:

"Determination of Ra-226 and Ra-228 (Ra-02)", January 1980, revised June 1982.

Technicon Industrial Systems, Tarrytown, NY 10591:

"Fluoride in Water and Wastewater", Industrial Method #129-71W, December, 1972 (referred to as "Technicon Methods: Method #129-71W"). See 40 CFR 141.23(k)(1), footnote 11 (f)(10), footnotes 6 and 7 (1995).

"Fluoride in Water and Wastewater", #380-75WE, February, 1976 (referred to as "Technicon Methods: Method #380-75WE"). See 40 CFR 141.23(k)(1), footnote 11 (f)(10), footnotes 6 and 7 (1995).

United States Department of Energy, available at the Environmental Measurements Laboratory, U.S. Department of Energy, 376 Hudson Street, New York, NY 10014-3621:

"EML Procedures Manual", 27th Edition, Volume 1, 1990.

United States Environmental Protection Agency, EMSL, Cincinnati, OH 45268 513-569-7586:

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"Interim Radiochemical Methodology for Drinking Water", EPA-600/4-75-008 (referred to as "Radiochemical Methods"). (Revised) March, 1976.

"Methods for the Determination of Organic Compounds in Finished Drinking Water and Raw Source Water" (referred to as "USEPA Organic Methods"). (For methods 504.1, 508.1, and 525.2 only.) See NTIS.

"Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions". See NTIS.

USEPA 8-5-EPA, Science and Technology Branch, Criteria and Standards Division, Office of Drinking Water, Washington D.C. 20460:

"Guidance Manual for Compliance with the Filtration and Disinfection Requirements for Public Water Systems using Surface Water Sources", October, 1989.

USGS. Books and Open-File Reports Section, United States Geological Survey, Federal Center, Box 25425, Denver, CO 8025-0425:

Methods available upon request by method number from "Methods of Analysis by the U.S. Geological Survey National Water Quality Laboratory--Determination of Inorganic and Organic Constituents in Water and Fluvial Sediments", Open File Report 93-125 or Book 5, Chapter A-1, "Methods for Determination of Inorganic Substances in Water and Fluvial Sediments", 3d ed., Open-File Report 85-495, 1989, as appropriate (referred to as "USGS Methods").

I-1030-85

I-1062-85

I-1601-85

I-1700-85

I-2598-85

I-2601-90

I-2700-85

I-3300-85

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Methods available upon request by method number from "Methods for Determination of Radioactive Substances in Water and Fluvial Sediments", Chapter A5 in Book 5 of "Techniques of Water-Resources Investigation of the United States Geological Survey", 1997.

R-1110-76

R-1111-76

R-1120-76

R-1140-76

R-1141-76

R-1142-76

R-1160-76

R-1171-76

R-1180-76

R-1181-76

R-1182-76

c) The Board incorporates the following federal regulations by reference:
40 CFR 136, Appendix B and C (1995).

d) This Part incorporates no later amendments or editions.

(Source: Amended 5 1994 22 Ill. Reg. 5020, effective

SUBPART Q: RADIOLOGICAL MONITORING AND ANALYTICAL REQUIREMENTS

Section 611.720 Analytical Methods

a) The methods specified below, incorporated by reference in Section 611.102, are to be used to determine compliance with Sections 611.330 and 611.331, except in cases where alternative methods have been approved in accordance with Section 611.480.

1) Radiochemical Methods:

2) Standard Methods, 13th Edition:

A) Gross Alpha and Beta: Method-302;

B) Total Radium: Method-304;

C) Radium-226: Method-305;

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B) Strontium-89,90: Method-303;

E) Uranium: Method-306;

3) ASTM Methods:

A) Cesium-134: ASTM-B-2459;

B) Strontium-89,90: ASTM-B-2987;

1) Gross Alpha and Beta:

A) ASTM Method 302;

B) Standard Method:

i) Method 302; or

ii) Method 7110 B;

C) USEPA Interim Radiochemical Methods: page 1;

D) USEPA Radioactivity Methods: Method 900;

E) USEPA Radiochemical Analyses: page 1;

F) USEPA Radiochemistry Methods: Method 00-01; or

G) USGS Methods: Method R-1120-76.

2) Gross Alpha:

A) Standard Methods: Method 7110 C; or

B) USEPA Radiochemistry Methods: Method 00-02.

3) Radium-226:

A) ASTM Methods:

i) Method D 2460-90; or

ii) Method D 3454-91;

B) New York Radium Method:

C) Standard Methods:

i) Method 304;

ii) Method 305;

iii) Method 7500-Ra B; or

iv) Method 7500-Ra C;

D) USDOE Methods: Method Ra-05;

E) USEPA Interim Radiochemical Methods: pages 13 and 16;

F) USEPA Radioactivity Methods: Method 903, 903.1;

G) USEPA Radiochemical Analyses: page 19;

H) USEPA Radiochemistry Methods: Methods Ra-03, Ra-04; or

I) USGS Methods:

i) Method R-1140-76; or

ii) Method R-1141-76.

4) Radium-228:

A) Standard Methods:

i) Method 304; or

ii) Method 7500-Ra D;

B) New York Radium Method;

C) USEPA Interim Radiochemical Methods: page 24;

D) USEPA Radioactivity Methods: Method 904;

E) USEPA Radiochemical Analyses: page 19;

F) USEPA Radiochemistry Methods: Method Ra-05;

G) USGS Methods: Method R-1142-76; or

H) New Jersey Radium Method.

5) Uranium:

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- 6) A) ASTM Methods:
 i) Method D 2907;
 ii) Method D 2907-91;
 iii) Method D 3972-90; or
 iv) Method D 5174-91;
B) USEPA Radioactivity Methods: Method 908, 908.1.1;
 C) USEPA Radiochemical Analyses: page 33;
 D) USEPA Radiochemistry Methods: Method 00-07; or
 E) USGS Methods:
 i) Method R-1180-76;
 ii) Method R-1181-76; or
 iii) Method R-1182-76.
- 6) Cesium:
A) ASTM Methods:
 i) Method D 2459-72; or
 ii) Method D 3649-91;
B) Standard Methods:
 i) Method 7120 (19th ed.); or
 ii) Method 7500-Cs B;
C) USDOE Methods: Method 4.5.2.3;
 D) USEPA Interim Radiochemical Methods: page 4;
 E) USEPA Radioactivity Methods: Methods 901, 901.1;
 F) USEPA Radiochemical Analyses: page 92; or
 G) USGS Methods:
 i) Method R-1110-76; or
 ii) Method R-1111-76.

7) Iodine:

- A) ASTM Methods:
 i) D 3649-91; or
 ii) D 4785-88;
B) Standard Methods:
 i) Method 7120 (19th ed.);
 ii) Method 7500-I B;
 iii) Method 7500-I C; or
 iv) Method 7500-I D;
C) USDOE Methods: Method 4.5.2.3;
 D) USEPA Interim Radiochemical Methods: pages 6, 9;
 E) USEPA Radiochemical Analyses: page 92; or
 F) USEPA Radioactivity Methods: Methods 901.1, 902.
 8) Strontium-89 & 90:
A) Standard Methods:
 i) Method 303; or
 ii) Method 7500-Sr B;
B) USDOE Methods:
 i) Method Sr-01; or
 ii) Method Sr-02;
C) USEPA Interim Radiochemical Methods: page 29;
 D) USEPA Radioactivity Methods: Method 905;

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- E) USEPA Radiochemical Analyses: page 65;
 F) USEPA Radiochemistry Methods: Method Sr-04; or
 G) USGS Methods: Method R-1160-76.
- 9) Tritium:
A) ASTM Methods: Method D 4107-91;
 B) Standard Methods:
 i) Method 3067; or
 ii) Method 7500-3H B;
C) USEPA Interim Radiochemical Methods: page 34;
 D) USEPA Radioactivity Methods: Method 906;
 E) USEPA Radiochemical Analyses: page 87;
 F) USEPA Radiochemistry Methods: Method H-02; or
 G) USGS Methods: Method R-1171-76.
- 10) Gamma Emitters:
A) ASTM Methods:
 i) Method D 3649-91; or
 ii) Method D 4785-88;
B) Standard Methods:
 i) Method 7120 (19th ed.);
 ii) Method 7500-Cs B; or
 iii) Method 7500-I B;
C) USDOE Method: Method 4.5.2.3;
 D) USEPA Radioactivity Methods: Methods 901, 901.1, 902;
 E) USEPA Radiochemical Analyses: page 92; or
 F) USGS Methods: Method R-1110-76.
- b) When the identification and measurement of radionuclides other than those listed in subsection (a) are required, the following methods, incorporated by reference in Section 611.102, are to be used, except in cases where alternative methods have been approved in accordance with Section 611.480:
 1) "Procedures for Radiochemical Analysis of Nuclear Reactor Aqueous Solutions", available from NTIS.
 2) HASL Procedure Manual, HASL 300.
 c) For the purpose of monitoring radioactivity concentrations in drinking water, the required sensitivity of the radioanalysis is defined in terms of a detection limit. The detection limit must be that concentration which can be counted with a precision of plus or minus 100 percent at the 95 percent confidence level (1.96 sigma where sigma is the standard deviation of the net counting rate of the sample).
 1) To determine compliance with Section 611.330(a) the detection limit must not exceed 1 pCi/L. To determine compliance with Section 611.330(b) the detection limit must not exceed 3 pCi/L.
 2) To determine compliance with Section 611.331 the detection limits must not exceed the concentrations listed in that Section.
 d) To judge compliance with the MCLs listed in Sections 611.330 and 611.331, averages of data must be used and must be rounded to the same number of significant figures as the MCL for the substance in question.

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BOARD NOTE: Derived from 40 CFR 141.25 (1995).

(Source: Amended Mar 5 1998 at 22 Ill. Reg. , effective)

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- 1) Heading of the Part: Head and Spinal Cord Injury Code
- 2) Code Citation: 77 Ill. Adm. Code 550
- 3) Section Numbers:
550.100 Amendments
550.110 Amendments
550.120 Amendments
550.130 Amendments
550.Appendix A New Section
- 4) Statutory Authority: Head and Spinal Cord Injury Act [410 ILCS 515]
- 5) Effective Date of Rules: March 10, 1998
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain Any Incorporations By Reference? Yes
- 8) Date Filed in Agency's Principal Office: March 10, 1998
- 9) Date Notice(s) of Proposal was Published in Illinois Register: August 15, 1997 - 21 Ill. Reg. 11416
- 10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No
- 11) Difference Between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:
 1. Delete lines 13 and 14.
 2. In line 68, move "the" before "9th" and insert "Revision" after "9th".
 3. In line 69, strike out "Revision".
 4. In line 70, insert "(E-Codes)" after "Injury".
 5. In line 71, strike out "(E-Codes)".
 6. After line 125, add "1) Patient Name" and renumber subsequent entries.
 7. In lines 138 and 423, change "Address" to "City".
 8. In lines 141 and 142, and lines 426 and 427, switch the text.
 9. In lines 257, 259, 263, and 281, capitalize "Council".

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10. In line 327, delete "(See Appendix A.)".
11. In line 328, strike out "These contracts" and insert "The Agreement"; strike out "exactly what" and insert "the"; add "that" after "information".
12. In lines 329-330, strike out "the standards in".
13. In line 329, insert ", " after "used".
14. In lines 330-331, strike out "In addition, the researcher shall include an insurance that:".
15. In line 435, delete the line between "N" and "Y".
16. In line 436, change "Meth" to "Marij".
17. In line 458, change "(Use Code A-J or V*)" to "A, B, C, D, E, F, G, H, I, J*".

18. Delete lines 465-534. (The Research Agreement is being deleted because of a Department-wide initiative to standardize language in Research Agreements similarly to the standardization of Department contracts. The Department's legal staff has advised that inclusion of the agreement in the rules is not necessary.) The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

1. In line 15, change "210" to "20".
2. In line 124, add a semi-colon at the end.

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? No

15) Summary and Purpose of Rules: The rules in Part 550 implement the Head and Spinal Cord Injury Act, which requires the Department to establish and maintain an information registry and reporting system for the purpose of

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data collection and needs assessment of head and spinal cord injured persons in this State. Since the rules were adopted in 1991, the Department has become aware that small community hospitals are not able to provide much of the desirable data. The revised rules set forth a core set of data elements that will provide a statistical framework but will not be burdensome on the reporting facility. Definitions and incorporated materials have been updated. The paper reporting format has been included in the rules.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito, Division of Legal Services, Department of Public Health
West Jefferson,
Fifth Floor, Springfield, Illinois 62761, 217/782-2043
(rules@idph.state.il.us).

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

trauma, which involves spinal vertebral fracture, or where the injured person suffers any of the following effects: effects on the sensory system including numbness, tingling or loss of sensation in the body or in one or more extremities; effects on the motor system including weakness or paralysis in one or more extremities; or effects on the visceral system including bowel or bladder dysfunction or hypotension. (Section 1 of the Act)

(Source: Amended 10 1998 22 Ill. Reg. 019, effective 019)

Section 550.110 Incorporated Materials

The following are standards incorporated or referenced in this Part: Codes--and

a) The following standards are incorporated in this Part: Codes--and Standards

- 1) Glasgow Coma Scale
Champion HR, Sacco WJ, Camazzo AJ et al.:
CritCare Med 9(9):672-6767 (1981)
(See-77-III-Adm--Code-540-90)
- 2) Revised Trauma Score
American College of Surgeons
55-Bast-Brie-Str
Chicago-III-Notes-60611
(See-77-III-Adm--Code-540-90)
- 3) Abbreviated Injury Scale (1985)
American Association of Automotive Medicine
Arlington-Heights-III-Notes-60605
4) Injury Severity Scale
Baker-SP, O'Neill-B, Hadon-W, et al:
Journal of Trauma-1974-14-107-196
2) International Classification of Diseases, 9th Revision the
Revisions, Clinical Modification (ICD-9-CM)
Alphabetic Index to External Causes of Injury (E-Codes)
(E-Codes) Second Printing (1980)
Commission on Professional and Hospital Activities
World Health Organization, Geneva Switzerland and
National Center for Health Statistics
Published by Edward Brothers, Inc.
1968 Green Road
Ann Arbor, Michigan 48105

b) All incorporations by reference of the standards of nationally recognized organizations refer to the standard on the date specified and do not include any additions or deletions subsequent to the date specified.

c) The following statutes are referenced in this Part: State of Illinois Statutes

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PART 550
HEAD AND SPINAL CORD INJURY CODE

Section 550.100 Definitions
550.110 Incorporated Materials
550.120 Reporting Requirements
550.130 Confidentiality

APPENDIX A Head and Spinal Cord Injury Reporting/Violent Injury Reporting

AUTHORITY: Implementing the Head and Spinal Cord Injury Act [410 ILCS 515] and authorized by Section 55.39 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.39].

SOURCE: Adopted at 15 Ill. Reg. 1068, effective January 15, 1991; amended at 22 Ill. Reg. 019, effective 019

Section 550.100 Definitions

The definitions listed in this Section apply to this Part.

"Act" means the Head and Spinal Cord Injury Act [410 ILCS 515] and Act in relation to certain injuries--(III-Rev-Stat--1989--ch--III-172--part--785i-et-seq--).

"Council" means the Advisory Council on Spinal Cord and Head Injuries, created within the Department of Rehabilitation Services pursuant to Section 6 of the Act. (Section 1 of the Act)

"Department" means the Department of Public Health. (Section 1 of the Act)

"Head Injury" means a sudden insult or damage to the brain or its coverings, not of a degenerative nature, which produces an altered state of consciousness or temporarily or permanently impairs mental, cognitive, behavioral or physical functioning. Cerebral vascular accidents, aneurysms and congenital deficits are excluded from this definition. (Section 1 of the Act)

"Hospital" has the meaning ascribed to that term in the Hospital Licensing Act [210 ILCS 85] (III-Rev-Stat--1989--ch--III-172--part--742-et-seq--).

"Spinal Cord Injury" means an injury that occurs as a result of

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- 1) Hospital Licensing Act [210 ILCS 85] (111-Rev-Stat-1989-CH-111-172, pars. 142-et-seq);
- 2) Head and Spinal Cord Injury Act [410 ILCS 515] "AN-REG-in relation-to-certain-injuries" (111-Rev-Stat-1989-CH-111-172, pars. 785i-et-seq);
- c) All incorporations by reference of the standards of nationally recognized organizations refer to the standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 22 Ill. Reg. 111-4, effective
MAR 10 1998)

Section 550.120 Reporting Requirements

a) The Department shall establish and maintain an information registry and reporting system for the purpose of data collection and needs assessment of head and spinal cord injured persons in this State. (Section 2 of the Act)

b) Each hospital with an emergency department must report the information specified in subsection (c) of this Section using either: the Department-provided Trauma Registry software; Hospitals which can show hardship as represented by a lack of the required computer equipment in the hospital may report on forms provided by the Department. Each hospital should have available for use a Microsoft-Basic-Operating System (MS-DOS); IBM-compatible microcomputer with a hard-disk (minimal capacity of 10 megabytes); and a 2400-Baud-Hayes-compatible modem. The Department shall provide Trauma Registry software for use by the facility. This software should be used for collection of data on head and spinal cord injuries.

1) a computerized software supplied by the Department. The facility must supply a 486 microprocessor, 32 megabytes of Random Access Memory (RAM), adequate hard drive disk space to accommodate the hospital's data files and needs, at least a 14.4 kilobytes per second (kbs) modem, color monitor, printer and back-up capabilities; or

2) a paper form for each reportable case. The master format will be provided by the Department and will be reproduced by the reporting facility. (See Appendix A.)

c) All hospitals with emergency departments shall provide the following information quarterly on each patient diagnosed as a head or spinal cord injured patient who that is admitted to the hospital or arrives at the emergency department and dies before admission to the hospital:

- 1) Patient Name;
- 2) Hospital Name;
- 3) Hospital Code Number;
- 4) Pre-Hospital Number;
- 5) Crash Number;

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- 6) Medical Record Number;
- 7) Arrival Date;
- 8) Birthdate;
- 9) Age in Years;
- 10) Sex;
- 11) Race;
- 12) Injury Date;
- 13) Federal Information Processing Standard (FIPS) Scene;
- 14) Scene City;
- 15) FIPS Home;
- 16) Home City;
- 17) E-Code (External Cause of Injury);
- 18) E-Code 849 (Place of Injury);
- 19) Work Related;
- 20) Safety Equipment;
- 21) Alcohol;
- 22) Drugs;
- 23) Glasgow Score Total (Emergency Department);
- 24) Systolic Blood Pressure (Emergency Department);
- 25) Respiratory Rate (Emergency Department);
- 26) Respiratory Status (Emergency Department);
- 27) Disposition (Emergency Department);
- 28) Nature of Injury Code (ICD-9-CM);
- 29) Discharge Disposition;
- 30) Facility Out (facility to which the patient was transferred);
- 31) Hospital Days;
- 32) Expression (ability to speak);
- 33) Feeding (ability to feed self);
- 34) Locomotion (ability to move about);
- 35) Rehabilitation Potential;
- 36) Billed Charges (Hospital charges only); and
- 37) Primary Payment Source.
- 1) Patient Name;
- 2) Date-of-birth;
- 3) Sex;
- 4) Race;
- 5) Social-Security-Number;
- 6) Home Zip-Code;
- 7) Location-of-geographical-sites-where-injury-occurred;
- 8) Type-of-site-where-injury-occurred--(i.e.--home--school--road--etc.);
- 9) Mechanism--of--injury--(International--Classification--of-Diseases (ICD)-9-B-codes--4-digits);
- 10) Initial-Trauma-Triage-Score--(such-as-the-Glasgow-Coma--Scale--the-Trauma-Score-may-be-utilized);
- 11) 6-digit-ambulance-license-number-of-transporting-vehicle;
- 12) Pre-hospital-treatment;
- 13) Trauma-triage-score-upon-arrival-at-hospital;

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- 14) Treatment prior to surgery;
 15) Times of:
 A) injury;
 B) start of pre-hospital treatment;
 C) arrival in Emergency Department; and
 D) start of surgery;
 16) Trauma score prior to transfer;
 17) Method and reason for transfer;
 18) Trauma score upon arrival at the next level of care;
 19) Treatment prior to surgery; transfer;
 20) Surgical procedures;
 21) Complications;
 22) Abbreviated Injury Score for each injury (Abbreviated Injury Score of the American Association of Automotive Medicine);
 23) Injury Severity Score (range from 1 to 75) (ISS);
 24) Total hospital stay (subdivided into intensive care unit (ICU) and non-ICU);
 25) Patient outcome;
 26) ICD-9-N Code for nature of illness;
 27) Method of payment used by patient;
 28) Total charges for care provided;
 29) Total unreimbursed care provided;
 30) Date of initial injury; and
 31) Date injury was identified or diagnosed by health care provider (see subsection (d)).
- d) Reports of head and spinal cord injuries shall be filed with the Department by a hospital administrator or his designee within 30 days of identification (Section 2 of the Act). These reports shall consist of the number of reportable cases. The reporting information required by subsection (c) shall be reported quarterly. Reportable head and spinal cord injuries include the following ICD-9-CM Codes:
- 1) 800 Fracture of vault of skull;
 - 2) 801 Fracture of base of skull;
 - 3) 802 Fracture of face bones except nasal bones;
 - 4) 803 Other and unqualified skull fractures;
 - 5) 804 Multiple fractures involving skull or face with other bones;
 - 6) 805 Fracture of vertebral column without mention of spinal cord lesion;
 - 7) 806 Fracture of vertebral column with spinal cord lesion;
 - 8) 839 Other, multiple and ill-defined dislocations;
 - 9) 850 Concussions;
 - 10) 851 Cerebral laceration and contusion;
 - 11) 852 Subarachnoid, subdural and extradural hemorrhage, following injury;
 - 12) 853 Other and unspecified intracranial hemorrhage following injury;
 - 13) 854 Intracranial injury of other and unspecified nature;
 - 14) 947-bare effects of injuries to the nervous system.

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- 1415) 925 Crushing injury of face, scalp, and neck;
 1516) 926 Crushing injury of trunk;
 1617) 950 Injury to optic nerve and pathways;
 1718) 951 Injury to other cranial nerves;
 1819) 952 Spinal cord lesion without evidence of spinal bone injury; and
 1920) 953 Injury to nerve roots and spinal plexus; and
 21) 959 Injury, other and unspecified.
- e) Reporting deadlines are as follows:
- | Patient Discharge | Report Due Date |
|--------------------|-----------------|
| January - March | June 30 |
| April - June | September 30 |
| July - September | December 31 |
| October - December | March 31 |
- (Source: Amended MAR 10 1998 22 Ill. Reg. effective)

Section 550.130 Confidentiality

- a) All reports and records made pursuant to the Act and maintained by the Department and other appropriate persons, officials and institutions pursuant to the Act shall be confidential. Information shall not be made available to any individual or institution except to:
- 1) Appropriate staff of the Department;
 - 2) Any person engaged in a bona fide research project, with the permission of the Director of Public Health, except that no information identifying the subjects of the reports or the reporters shall be made available to researchers unless the Department requests and receives consent for such release pursuant to the provisions of this Section; and
 - 3) The Council, except that no information identifying the subjects of the reports or the reporters shall be made available to the Council unless consent for release is requested and received pursuant to the provisions of this Section. Only information pertaining to head and spinal cord injuries as defined in Section 1 of the Act shall be released to the Council (Section 3 of the Act).
- b) The Department shall not reveal the identity of a patient, physician or hospital, except that the identity of the patient may be released upon written consent of the patient, parent (in the case of a minor patient) or guardian, the identity of the physician may be released upon written consent of the physician; and the identity of the hospital may be released upon written consent of the hospital. (Section 3 of the Act)
- c) The Department shall request consent for release from a patient, a physician or hospital only upon a showing by the applicant for such release that obtaining the identities of certain patients, physicians

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- g)A) The Department will enter into a Research Agreement research contracts for all approved research requests. The Agreement these contracts shall specify the exactly what information that is being released and how it can be used, in accordance with the standards in subsection (c) above. in addition, the researcher shall include an assurance that:
- i) use of data is restricted to the specifications of the protocol;
 - ii) any and all data which may lead to the identity of any patient, research subject, physician, other person, or hospital is strictly privileged and confidential and agrees to keep all such data strictly confidential at all times;
 - iii) all officers, agents and employees will keep all such data strictly confidential; will communicate the requirements of this Section to all officers, agents and employees; will discipline all persons who may violate the requirements of this Section; and will notify the Department in writing within forty-eight (48) hours of any violation of this Section, including full details of the violation and corrective actions to be taken;
 - iv) all data provided by the Department pursuant to this contract may only be used for the purposes named in this contract and that any other or additional use of the data may result in immediate termination of this contract by the Department;
 - v) all data provided by the Department pursuant to this contract is the sole property of the Department and may not be copied or reproduced in any form or manner and agrees to return all data and all copies and reproduction of the data to the Department upon termination of this contract;
 - B) Any departures from the approved protocol must be submitted in writing and approved by the Director in accordance with subsection (c)(2) above prior to initiation. No patient or facility identifying information may be released by a researcher to a third party.
 - 4) The Department shall disclose individual patient or facility information to the reporting facility, which originally supplied that information to the Department, upon written request of the facility.
 - f) The patient identifying information submitted to the Department by those entities required to submit information under the Act and this Part is to be used in the course of medical study under the Part 21 of Article 9 of the Code of Civil Procedure; therefore, this information is privileged from disclosure by the Part 21 of Article 8 of the Code of Civil Procedure.

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- or hospitals is necessary for his bona fide research directly related to the objectives of the Act. (Section 3 of the Act)
- d) The Department shall at least annually compile a report of the data accumulated through the reporting system established under Section 2 of the Act and shall submit such data relating to spinal cord and head injuries in accordance with confidentiality restrictions established pursuant to the Act to the Council confer. (Section 3 of the Act)
- e) Availability of Registry Information i) All requests by medical or epidemiologic researchers for confidential Registry data must be submitted in writing to the Registry. The request must include a study protocol that which contains: objectives of the research; rationale for the research including scientific literature justifying the current proposal; overall study methods, including copies of forms, questionnaires, and consent forms used to contact facilities, physicians or study subjects; including methods for documenting compliance with 42-CPR-2A7-pars: 4-a-j, 6-a-b, 7-a-b; methods for the processing of data; storage and security measures taken to ensure confidentiality of patient and facility identifying information; time frame of the study; a description of the funding source of the study (e.g., federal contract); the curriculum vitae of the principal investigator and a list of collaborators. In addition, the research request must specify what patient or facility identifying information is needed and how the information will be used.
- f)A) All requests to conduct research and modifications to approved research proposals involving the use of data that which includes patient or facility identifying information shall be subject to a review to determine compliance with the following conditions:
- 1)A) The request for patient or facility identifying information contains stated goals or objectives.
 - 2)B) The request documents the feasibility of the study design in achieving the stated goals and objectives.
 - 3)E) The request documents the need for the requested data to achieve the stated goals and objectives.
 - 4)B) The requested data can be provided within the time frame timeframe set forth in the request.
 - 5)E) The request documents that the researcher has qualifications relevant to the type of research being conducted.
 - 6)F) The research will not duplicate other research already underway using the same registry data when both require the contact of a patient, reporting facility or physician about an individual patient involved in the previously approved concurrent research.
 - 7)G) Other such conditions relevant to the need for the patient or facility identifying information and the patient's confidentiality rights because the Department will only release the patient, physician in accordance with the provisions of this Section, or facility identifying information that which is necessary for the research.
- 3) Research Agreements

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- g) ~~The identity of any facility or any group of facts which tends to lead to the identity of any person whose condition or treatment is submitted to the department shall not be open to public inspection or dissemination. Such information shall not be available for disclosure or copying under the Freedom of Information Act or the State Records Act. All information for specific research purposes may be released in accordance with procedures established by the Department in this Section. (Section 4(d) of the Act)~~
- h) Every hospital shall provide representatives of the Department with access to information from all medical, pathological, and other pertinent records and logs related to reportable registry information. ~~the mode of access and the time during which this access will be provided shall be by mutual agreement between the hospital and the Department. The Department shall not require hospitals to provide information on cases that which are dated more than two years before the Department's request for further information.~~
- i) Every hospital shall provide access to information regarding specified patients or other patients specified for research studies, related to reportable registry information, conducted by the Department. Any ~~disputes as to access shall be resolved by the hospital and the Department within 30 days after requests for access have been denied. No individual or organization providing information to the Department in accordance with the Act shall be held liable in a civil or criminal action for divulging confidential information unless such individual or organization acted in bad faith or with malicious purpose. (Section 4 of the Act)~~

(Source: Amended at 22 Ill. Reg. _____, effective
MAY 10 1996)

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Section 550. APPENDIX A Head and Spinal Cord Injury Reporting/Violent Injury Reporting

PART 1

Hospital Name	code	
Prehospital Number	NA	Unk
Crash Number	NA	Unk
Med. Record Number	NA	Unk
Patient Name	last first initial	
ED Arrival Date	___/___/___ (mo/dd/yy)	
Birthdate	___/___/___ (mo/dd/yy)	
Age in years	___/___ (0 = <1 yr) Fetus	
Sex	F M	
Race*	1 White 2 Black 3 WHisp 4 BHisp 5 AmerI 6 Paci 7 Asian 8 Other	
Injury Date	___/___/___ (mo/dd/yy)	
FIPS Scene	Unk	
Scene City	Unk	
FIPS Home	Unk	
Home City	Unk	
E-Code	Unk	
E-Code 849	NA	
Work Related	Unk	
Safety Equipment*	NA	
	1 None 2 Belt/Harness 3 Bag/Belt 4 Bag Only 5 Child Seat 6 Helmet 7 ProClothes 8 Other	

* See Instruction Book for table detail

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PART 2

Alcohol

NA Unk

Drugs*NA Unk N Y Amph Barb Benz
Coc Maril Opiate PCPGlasgow Total

NA Unk /

Systolic BP

NA Unk / /

Resp. Rate

NA Unk / /

Resp. Rate Status

NA Unk 1 Vent. 2 Intub. 3 Both

DispositionNA 1 Home** 2 AMA 3 Obser 4 Floor
5 SDown 6 ICU 7 OR 8 Txf 9 DeathNCode 1

/ / .

NCode 2

/ / .

NCode 3

/ / .

NCode 4

/ / .

NCode 5

/ / .

Discharge Disp*1 Home** 2 AMA 3 ACareF
4 InptRehab 5 SkCare 6 ResFac
7 ExpiredFacility Out***

NA Unk / / /

Hospital Days***

NA / / (000 - <1 day)

Expression***

NA Unk 1DTH 2DPH 3ID 4I *

Feeding***

NA Unk 1DTH 2DPH 3ID 4I *

Locomotion***

NA Unk 1DTH 2DPH 3ID 4I *

Rehab Potential***

NA Unk 1 Poor 2 Fair 3 Good

Billed Charges

Unk \$ / / / / /

Primary Payment Source

Unk A, B, C, D, E, F, G, H, I, J*

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*

See Instruction Book for table detail

**

Not applicable to Head and Spinal Cord Reporting

For Violent Injury Reporting will only be included if the patient had an in-patient stay

(Source: Added at 22 Ill. Reg. _____, effective _____)

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NOTICE OF ADOPTED RULES

1) Heading of the Part:

Violent Injury Reporting Code

2) Code Citation:

77 Ill. Adm. Code 560

3) Section Numbers:

560.100	New Section
560.110	New Section
560.120	New Section
560.Appendix A	New Section
560.Appendix B	New Section

4) Statutory Authority: Civil Administrative Code of Illinois [20 ILCS 2310/55.81]5) Effective Date of Rules: March 10, 19986) Does this Rulemaking Contain an Automatic Repeal Date? No7) Does this Rulemaking Contain Any Incorporations By Reference? Yes8) Date Filed in Agency's Principal Office: March 10, 19989) Date Notice(s) of Proposal was Published in Illinois Register:

August 15, 1997 - 21 Ill. Reg. 11482

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In line 11, add "Reporting" after the first "Injury".

2. In lines 12 and 13, change "55.80" to "55.81".

3. In line 22, add "the" after "or".

4. In line 53, add the following: ALL INFORMATION AND DATA REPORTED SHALL BE CONFIDENTIAL AND PRIVILEGED IN ACCORDANCE WITH PART 21 OF ARTICLE VIII OF THE CODE OF CIVIL PROCEDURE [735 ILCS 5/8-2102]. (Section 55.81 of the Civil Administrative Code of Illinois)

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5. In line 55, change "(c)" to "(d)".

6. Amend lines 65-68 as follows:

"All reporting facilities shall provide information quarterly on each patient diagnosed with an injury that is allegedly caused by an External Cause of Injury (see Appendix A) under the following circumstances: patients admitted and discharged who have been sexually assaulted or with an injury suspected or alleged to result from domestic violence or child abuse; all hospital admissions, including patients admitted for 23-hour observation; patients who are dead on arrival (DOA); patients who discharge themselves against medical advice (AMA)."

7. After line 68, add a new, "d)" as follows:

"The following information shall be provided on each patient reported:".

8. Before line 69, add "1) Patient Name;" and renumber the subsequent subsections.

9. In line 81, change "address" to "city".

10. In lines 84 and 85, switch text.

11. After line 92, add "26) Systolic blood pressure" and renumber subsequent entries.

12. In line 122, change "Barbituates" to "Barbiturates".

13. In line 293, change "Address" to "City".

14. In lines 296 and 297, switch text.

15. In line 306, change "meth" to "marij".

16. In line 328, change (Use Code A-J or V*) to "A, B, C, D, E, F, G, H, I, J*".

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

1. In line 57, change "8-2102" to "Art. VIII, Part 21".

2. In line 81, change "Name" to "name".

3. In line 106, add semi-colon at the end.

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4. In lines 113 and 120, change "d)" and "e)" to "e)" and "f)", respectively.

5. In line 229, add "by" after "intervention".

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? No

15) Summary and Purpose of Rules: These rules are being adopted to implement P.A. 89-242 (effective August 4, 1995), which states that the Department of Public Health shall require hospitals and other facilities in the State to report each injury allegedly caused by a violent act. The Department is required to coordinate this reporting with existing reporting requirements such as trauma and head and neck injury reporting to reduce duplication of reporting. These rules coordinate reporting requirements with those in the Head and Spinal Cord Injury Code (77 Ill. Adm. Code 550).

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito,
Division of Governmental Affairs
Department of Public Health
535 West
Jefferson Fifth Floor
Springfield, Illinois
62761, 217/782-2043
(rules @idph.state.il.us)

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 560

VIOLENT INJURY REPORTING CODE

Section

560.100 Definitions

560.110 Incorporated and Referenced Materials

560.120 Reporting Requirements

APPENDIX A External Causes of Injury

APPENDIX B Head and Spinal Cord Injury Reporting/Violent Injury Reporting

AUTHORITY: Implementing and authorized by Section 55.81 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.81].

SOURCE: Adopted at 22 Ill. Reg. _____, effective MAR 10 1998.

Section 560.100 Definitions

The definitions listed in this Section apply to this Part.

"Department" means the Department of Public Health.

"Hospital" has the meaning ascribed to that term in the Hospital Licensing Act [210 ILCS 85].

"Reporting facility" means a hospital licensed under the Hospital Licensing Act or the University of Illinois Hospital Act [110 ILCS 330]; ambulatory surgical treatment centers licensed under the Ambulatory Surgical Treatment Center Licensing Act [210 ILCS 5]; and freestanding emergency centers licensed under the Emergency Medical Services (EMS) Systems Act [210 ILCS 50]. Physicians and dental offices are excluded.

"Violent injury" means any injury listed in Appendix A of this Part.

Section 560.110 Incorporated and Referenced Materials

a) The following standards are incorporated in this Part:

International Classification of Diseases, 9th Revision
Clinical Modification (ICD-9-CM)
Alphabetic Index to External Causes of Injury (E-Code)
Second Printing (1980)

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World Health Organization, Geneva Switzerland and National Center for Health Statistics Published by Edward Brothers, Inc. 1968 Green Road

Ann Arbor, Michigan 48105

- b) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

c) The following statutes are referenced in this Part:

- 1) Hospital Licensing Act [210 ILCS 85]
- 2) University of Illinois Hospital Act [110 ILCS 330]
- 3) Ambulatory Surgical Treatment Center Act [210 ILCS 5]
- 4) Emergency Medical Services (EMS) Systems Act [210 ILCS 50]

Section 560.120 Reporting Requirements

a) The Department shall establish and maintain an information registry and reporting system for the purpose of data collection on violent injuries to persons of this State. *All information and data reported shall be confidential and privileged in accordance with Part 21 of Article VIII of the Code of Civil Procedure [735 ILCS 5/Art. VIII, Part 21].* (Section 55.81 of the Civil Administrative Code of Illinois)

b) Each reporting facility must report the information specified in subsection (d) of this Section using either:

- 1) computerized software supplied by the Department. The reporting facility must supply a 486 microprocessor, 32 megabytes of Random Access Memory (RAM), adequate hard drive disk space to accommodate the reporting facility's data files and needs, at least a 14.4 kilobytes per second (kbs) modem, color monitor, printer and back-up capabilities; or
- 2) a paper form for each reportable case. The master format will be provided by the Department and will be reproduced by the reporting facility. (See Appendix B.)

c) All reporting facilities shall provide the following information quarterly on each patient diagnosed with an injury that is allegedly caused by an External Cause of Injury (see Appendix A) under the following circumstances: patients admitted and discharged who have been sexually assaulted or with an injury suspected or alleged to result from domestic violence or child abuse; all hospital admissions, including patients admitted for 23-hour observation; patients who are dead on arrival (DOA); patients who discharge themselves against medical advice (AMA).

d) The following information shall be provided on each patient reported:

- 1) Patient name;
- 2) Hospital name;
- 3) Hospital code number;

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- 4) Pre-Hospital number;
- 5) Crash number;
- 6) Medical record number;
- 7) Arrival date;
- 8) Birthdate;
- 9) Age in years;
- 10) Sex;
- 11) Race;
- 12) Injury date;
- 13) Federal Information Processing Standard (FIPS) Scene;
- 14) Scene city;
- 15) FIPS home;
- 16) Home city;
- 17) E-Code (external cause of injury);
- 18) E-Code 849 (place of injury);
- 19) Work related;
- 20) Safety equipment;
- 21) Alcohol;
- 22) Drugs;
- 23) Glasgow Score (total);
- 24) Respiratory rate;
- 25) Respiratory status;
- 26) Systolic blood pressure;
- 27) Disposition;
- 28) Nature of injury codes;
- 29) Discharge disposition;
- 30) Facility out (facility to which the patient was transferred);
- 31) Billed charges; and
- 32) Primary payment source.

e) The following information shall be reported only if the patient has an in-patient stay at the reporting facility:

- 1) Facility out (facility to which the patient was transferred);
- 2) Hospital days;
- 3) Expression;
- 4) Feeding;
- 5) Locomotion;
- 6) Rehabilitation potential.

f) The reporting schedule is as follows:

Discharge	Due Date
January - March	June 30
April - June	September 30
July - September	December 31
October - December	March 31

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Section 560. APPENDIX A External Causes of Injury

E922 Accident Caused by firearm missile

E922.0 Handgun

E922.1 Shotgun (automatic)

E922.2 Hunting rifle

E922.3 Military firearms

E922.8 Other specified firearm missile

E922.9 Unspecified firearm missile

E950 Suicide and self-inflicted poisoning by solid or liquid substances

E950.0 Analgesics, antipyretics, and antirheumatic

E950.1 Barbiturates

E950.2 Other sedatives and hypnotics

E950.3 Tranquilizers and other psychotropic agents

E950.4 Other specified drugs and medicinal substances

E950.5 Unspecified drug or medicinal substance

E950.6 Agricultural and horticultural chemical and pharmaceutical preparations other than plant food

E950.7 Corrosive and caustic substances

E950.8 Arsenic and its compounds

E950.9 Other and unspecified solid and liquid substances

E951 Suicide and self-inflicted poisoning by gases in domestic use

E951.0 Gas distributed by pipeline

E951.1 Liquefied petroleum gas distributed in mobile containers

E951.8 Other utility gas

E952 Suicide and self-inflicted poisoning by other gases and vapors

E952.0 Motor vehicle exhaust gas

E952.1 Other carbon monoxide

E952.8 Other specified gases and vapors

E952.9 Unspecified gases and vapors

E953 Suicide and self-inflicted injury by hanging, strangulation, and suffocation

E953.0 Hanging

E953.1 Suffocation by plastic bag

E953.8 Other specified means

E953.9 Unspecified means

E954 Suicide and self-inflicted injury by submersion (drowning)

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E955 Suicide and self-inflicted injury by firearms and explosives

E955.0 Handgun

E955.1 Shotgun

E955.2 Hunting rifles

E955.3 Military firearms

E955.4 Other and unspecified firearms

E955.5 Explosives

E955.9 Unspecified

E956 Suicide and self-inflicted injury by cutting and piercing instruments

E957 Suicide and self-inflicted injury by jumping from high place

E957.0 Residential premises

E957.1 Other man-made structures

E957.2 Natural sites

E957.9 Unspecified

E958 Suicide and self-inflicted injury by other and unspecified means

E958.0 Jumping or lying before moving object

E958.1 Burns, fire

E958.2 Scald

E958.3 Extremes of cold

E958.4 Electrocution

E958.5 Crashing of motor vehicle

E958.6 Crashing of aircraft

E958.7 Caustic substances, except poisoning

E958.8 Other specified means

E958.9 Unspecified means

E960 Fight, brawl, rape

E960.0 Unarmed fight or brawl

E960.1 Rape

E961 Assault by corrosive or caustic substance, except poisoning

E962 Assault by poisoning

E962.0 Drugs and medicinal substances

E962.1 Other solid and liquid substances

E962.2 Other gases and vapors

E962.9 Unspecified poisoning

E963 Assault by hanging and strangulation

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E964 Assault by submersion (drowning)

E965 Assault by firearms and explosives

E965.0 Handgun

E965.1 Shotgun

E965.2 Hunting rifle

E965.3 Military firearms

E965.4 Other and unspecified firearm

E965.5 Antipersonnel bomb

E965.6 Gasoline bomb

E965.7 Letter bomb

E965.8 Other specified explosive

E965.9 Unspecified explosive

E966 Assault by cutting and piercing instruments

E967 Child battering and other maltreatment

E967.0 By parent

E967.1 By other specified person

E967.9 By unspecified person

E968 Assault by other and unspecified means

E968.0 Fire

E968.1 Pushing from a high place

E968.2 Striking by blunt or thrown object

E968.3 Hot liquid

E968.4 Criminal neglect

E968.5 Transport vehicle

E968.8 Other specified means

E968.9 Unspecified means

E970 Injury due to legal intervention by firearms

E971 Injury due to legal intervention by explosives

E972 Injury due to legal intervention by gas

E973 Injury due to legal intervention by blunt object

E974 Injury due to legal intervention by cutting or piercing instrument

E975 Injury due to legal intervention by other specified means

E976 Injury due to legal intervention by unspecified means

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E980 Poisoning by solid or liquid substances, undetermined whether accidentally or purposely inflicted

E980.0 Analgesics, antipyretics, and antirheumatic

E980.1 Barbiturates

E980.2 Other sedatives and hypnotics

E980.3 Tranquilizers and other psychotropic agents

E980.4 Other specified drugs and medicinal substances

E980.5 Unspecified drug or medicinal substance

E980.6 Corrosive and caustic substances

E980.7 Agricultural and horticultural chemical and pharmaceutical preparations other than plant food and fertilizers

E980.8 Arsenic and its compounds

E980.9 Other and unspecified solid and liquid substances

E981 Poisoning by gases in domestic use, undetermined whether accidentally or purposely inflicted

E981.0 Gas distributed by pipeline

E981.1 Liquefied petroleum gas distributed in mobile containers

E981.8 Other utility gas

E982 Poisoning by other gases, undetermined whether accidentally or purposely inflicted

E982.0 Motor vehicle exhaust gas

E982.1 Other carbon monoxide

E982.8 Other specified gases and vapors

E982.9 Unspecified gases and vapors

E983 Hanging, strangulation, and suffocation undetermined whether accidentally or purposely inflicted

E983.0 Hanging

E983.1 Suffocation by plastic bag

E983.8 Other specified means

E983.9 Unspecified means

E984 Submersion (drowning), undetermined whether accidentally or purposely inflicted

E985 Injury due to firearms and explosives, undetermined whether accidentally or purposely inflicted

E985.0 Handgun

E985.1 Shotgun

E985.2 Hunting rifles

E985.3 Military firearms

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- E985.4 Other and unspecified firearms
E985.5 Explosives
- E986 Injury by cutting and piercing instrument, undetermined if accidentally or purposely inflicted
- E987 Falling from high place, undetermined whether accidentally or purposely inflicted
- E987.0 Residential premises
E987.1 Other man-made structures
E987.2 Natural sites
E987.9 Unspecified site
- E988 Injury by other and unspecified means, undetermined whether accidentally or purposely inflicted
- E988.0 Jumping or lying before moving object
E988.1 Burns, fire
E988.2 Scald
E988.3 Extremes of cold
E988.4 Electrocution
E988.5 Crashing of motor vehicle
E988.6 Crashing of aircraft
E988.7 Caustic substances, except poisoning
E988.8 Other specified means
E988.9 Unspecified means

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Section 560. APPENDIX B Head and Spinal Cord Injury/Violent Injury Reporting

PART 1

Hospital Name	code
Prehospital Number	NA Unk
Crash Number	NA Unk
Med. Record Number	NA Unk
Patient Name	last, first, initial
ED Arrival Date	// (mo/dd/yy)
Birthdate	// (mo/dd/yy)
Age in years	// (0 = <1 yr) Fetus
Sex	Unk F M
Race*	Unk 1 White 2 Black 3 WHisp 4 BHisp 5 AmerI 6 PacI 7 Asian 8 Other
Injury Date	Unk // (mo/dd/yy)
FIPS Scene	Unk //
Scene City	
FIPS Home	Unk //
Home City	
E-Code	Unk E //
E-Code 849	NA Unk E //
Work Related	Unk Y N
Safety Equipment*	NA Unk 1 None 2 Belt/Harness 3 Bag/Belt 4 Bag Only 5 Child Seat 6 Helmet 7 ProClothes 8 Other

* See Instruction Book for table detail

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PART 2

Alcohol

NA Unk . / .

Drugs*

NA Unk N Y Amph Barb Benz
Coc Marij Opiate PCP

Glasgow Total

NA Unk / .

Systolic BP

NA Unk / .

Resp. Rate

NA Unk / .

Resp. Rate Status

NA Unk 1 Vent. 2 Intub. 3 Both

Disposition

NA 1 Home** 2 AMA 3 Obser 4 Floor
5 SDown 6 ICU 7 OR 8 Txf 9 Death

NCode 1

/ .

NCode 2

/ .

NCode 3

/ .

NCode 4

/ .

NCode 5

/ .

Discharge Disp*

1 Home** 2 AMA 3 ACareF
4 InptRehab 5 SkCare 6 ResFac
7 Expired

Facility Out***

NA Unk / .

Hospital Days***

NA / . (000 - <1 day)

Expression***

NA Unk 1DTH 2DPH 3ID 4I *

Feeding***

NA Unk 1DTH 2DPH 3ID 4I *

Locomotion***

NA Unk 1DTH 2DPH 3ID 4I *

Rehab Potential***

NA Unk 1 Poor 2 Fair 3 Good

Billed Charges

Unk \$ / .

Primary Payment Source

Unk A, B, C, D, E, F, G, H, I, J*

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

* See Instruction Book for table detail

** Not applicable to Head and Spinal Cord Reporting

*** For Violent Injury Reporting will only be included if the patient had an in-patient stay

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Jockeys, Apprentices, Jockey Agents and Valets

2) Code Citation: 11 Ill. Adm. Code 1411

3) Section Number: Adopted Action:
1411.140 Amendments

4) Statutory Authority: 230 ILCS 5/9(b)

5) Effective Date of Rule: March 1, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporation by reference? No

8) Date filed in Agency's Principal Office: February 26, 1998

9) Notice of Proposal Published in Illinois Register: 21 Ill. Reg. 15442 -
12/5/97

10) Has JCAR issued a Statement of Objections to this rule? No

11) Differences between proposal and final version: In subsection (a), "shall" was moved to (1) and the remaining text was reformatted under (A), (B), and (C). In subsection (a)(1)(a), the phrase, "or, if under age with the written consent of his/her parents or legal guardian" was added. In subsection (a)(2), the phrase "found acceptable by the Board under the standards established in this subsection (a)(2)," was added. In subsection (a)(2)(B), the phrase "shall require the apprentice to be at least 16 years old or, if under age, to have the written consent of his/her parents or legal guardian," was added. Also, punctuation was corrected throughout the text.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes

13) Will these amendments replace emergency amendments currently in effect?
No

14) Are there any other proposed amendments pending in this Part? No

15) Summary and purpose of rules: This amendment changes the weight allowances for apprentice jockeys. This amendment also reorganizes the requirements for apprentice jockeys.

16) Information and questions regarding these adopted amendments shall be directed to:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

Gina DiCaro
Illinois Racing Board, Legal Department
100 West Randolph Suite 11-100
Chicago IL 60601
312-814-5070

The full text of the adopted amendments begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER 1: ILLINOIS RACING BOARD
 SUBCHAPTER 9: RULES AND REGULATIONS OF HORSE RACING
 (THOROUGHBRED)

PART 1411
 JOCKEYS, APPRENTICES, JOCKEY AGENTS, AND VALETS

Section 1411.05 Colors Worn by Riders

1411.10 Jockey Fees (Repealed)

1411.20 Paying Fines

1411.30 Jockey Ownership of Horse

1411.40 Under Suspension

1411.50 Betting By Jockey

1411.60 Record of Jockey Betting

1411.65 Interrogation by Stewards

1411.70 Racing Against Employer's Starter

1411.72 Spouses Riding Against Each Other (Repealed)

1411.75 Owner or Trainer As Spouse

1411.78 Racing Against Agent's Horse

1411.80 Priority of Retainers

1411.90 Conflicting Claims on Jockeys

1411.100 Whips, Length and Kind

1411.110 Illegal Whipping

1411.120 Leaving Operating Track

1411.130 Jockey Rules Apply to Apprentices

1411.140 Apprentice Rule

1411.150 Change of Agent

1411.160 Rough or Careless Riding

1411.170 Yearly Examination

1411.180 Examination Because of Illness

1411.190 Jockey's Valet

1411.195 Valet's Fees (Repealed)

1411.200 Record of Jockey Engagements by Agent

1411.210 Falsifying Engagement Records

1411.220 Agent Barred from Paddock and Track

1411.230 Engagements Made Through Agent

1411.240 Safety Equipment

1411.250 Designated Races

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Horse Racing (original date not cited in publication); codified at 5 Ill. Reg. 10977; amended at 7 Ill. Reg. 1423, effective January 24, 1983; amended at 17 Ill. Reg. 12426, effective July

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

15, 1993; amended at 17 Ill. Reg. 21852, effective December 3, 1993; amended at 18 Ill. Reg. 2092, effective January 21, 1994; amended at 19 Ill. Reg. 12687, effective September 1, 1995; amended at 21 Ill. Reg. 3226, effective March 4, 1997; amended at 22 Ill. Reg. 10977, effective MAR 1 1998.

Section 1411.140 Apprentice Rule

a) An applicant for an apprentice jockey license:

1) shall:

A) be at least 16 years old or, if under age with the written consent of his/her parents or legal guardian;

B) not have been previously licensed as a jockey;

C) be found physically able to ride in competitive horse races

by a licensed physician designated by the stewards; and

D) have served with a racing stable in some licensed capacity for at least one year; or

2) shall have an apprentice certificate issued by another racing jurisdiction or a valid contract, found acceptable by the Board

under the standards established in this subsection (a)(2), with a trainer or owner to serve as an apprentice jockey for at least

three and no more than five years.

A) All owners or trainers with an apprentice jockey under

contract shall be subject to investigation as to character,

ability, facilities, and financial responsibility; and

shall, at the time of entering into the contract, be the

legal owner or trainer of at least three horses eligible to

race.

B) Contracts for apprentice jockeys shall require the

apprentice to be at least 16 years old or, if under age, to

have the written consent of his/her parents or legal

guardian, and shall provide for fair remuneration, adequate

medical attention and suitable board and lodging for the

apprentice.

C) All apprentice contracts described in this Part shall be

filed with the Board within 30 days after execution thereof

or upon filing application for license, whichever occurs

first.

D) Any amendments to the contract must be in writing, signed by

each of the parties, with copies delivered to each of the

parties and to the Board.

E) Any owner or trainer who fails to file such contract with

and obtain approval of the Board may be subject to

disciplinary action by the Board.

F) The Board, in its discretion, may issue an apprentice

certificate indicating each winner ridden, in the event an

apprentice contract is terminated.

G) The stewards, in their discretion, may permit an apprentice

jockey who has been issued a certificate to contract with a

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NOTICE OF ADOPTED AMENDMENTS

licensed owner or trainer for the remainder of a terminated contract.

- b) An apprentice jockey may claim the following weight allowances in all overnight races except stakes and handicaps:

- 1) Ten pound allowance beginning with the first mount and continuing until the apprentice has ridden five winners.
- 2) A seven pound allowance until the apprentice has ridden an additional 35 winners.
- 3) If an apprentice has ridden a total of 40 winners prior to the end of a period of one year from the date of riding his/her fifth winner, he/she shall have an allowance of five pounds until one year from the date of the fifth winning mount.
- 4) If, after one year from the date of the fifth winning mount, the apprentice jockey has not ridden 40 winners, the applicable weight allowances shall continue for one more year from the date of the fifth winning mount, or until the 40th winner, whichever comes first. In no event shall a weight allowance be claimed for more than two years from the date of the fifth winning mount, unless an extension has been granted pursuant to subsection (e) of this Section.

- 5) A contracted apprentice may claim an allowance of three pounds for an additional one year when riding horses owned or training by the original contract employer.

- c) The stewards may extend the weight allowance of an apprentice jockey when, in their discretion, an apprentice jockey is unable to continue riding due to:

- 1) Physical disablement or illness.
- 2) Military service.
- 3) Attendance in an institution of secondary or higher education.
- 4) Restriction on racing, or
- 5) Other valid reasons.

- d) An apprentice jockey may qualify for an extension if he/she has been unable to ride for a period of not less than seven consecutive days during the period in which the apprentice was entitled to an apprentice weight allowance. Under exceptional circumstances, total days lost collectively will be given consideration.

- e) The stewards may grant an extension to an eligible apprentice only after the apprentice has produced, on the approved form, documentation verifying time lost was a result of a qualifying event as defined in subsection (c) of this Section.

- f) An apprentice may petition one of the racing jurisdictions in which he/she is licensed and riding for an extension of time for claiming apprentice weight allowances, and the apprentice shall be bound by the decision of the jurisdiction so petitioned.

Any person age 16 or older who has never previously been licensed as a jockey in any country and, if after at least one year service with a racing stable, and (2) has of his own free will, and, if under age, with the written consent

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NOTICE OF ADOPTED AMENDMENTS

of his parents or guardian, bound himself to an owner or trainer for a period of four years by written contract approved and filed with the Illinois Racing Board or has received an apprentice certificate as provided in subsection j below, may then ride in competitive races and claim in all overnight races except handicaps, the following allowances:

- a) Five pounds until he has ridden 40 winners, if he has ridden 40 winners prior to the end of one year from date of riding his fifth winner; five pounds allowance continues until the end of that year.
- b) After completion of the conditions above for one year he may claim three pounds when riding horses owned or trained by his original contract employer, provided his contract has not been permanently transferred or sold since he rode his first winner. The holder of the contract at the time the rider rides his first winner shall be considered the original contract employer.
- c) All holders of apprentice contracts shall be subject to investigations as to character, ability, facilities, and financial responsibility, and shall, at the time of making the contract, own in good faith a minimum of three horses in training, or, if a trainer, shall operate in good faith a stable of at least three horses.

- d) Contracts for apprentice jockeys shall provide for fair remuneration, adequate medical attention and suitable board and lodging for the apprentice.

- e) Under exceptional circumstances, such as the inability of an apprentice to ride because of war service or restrictions on racing or personal injuries for not having a full three year period from date of riding his first race to complete his weight allowance, the stewards may extend the period provided for above in order to qualify for an extension of his apprentice allowance. An apprentice rider must have been rendered unable to ride for a period of not less than 14 consecutive days during the period in which he was entitled to an apprentice allowance.

- f) An apprentice shall be permitted to acquire his own contract while he still enjoys weight allowances.

- g) All apprentice contracts described in this rule shall be filed with the Board within 30 days after execution thereof or upon filing application for license, whichever date is earlier.

- h) The original apprentice jockey contract shall be kept in full force and effect throughout its contract period. Any and all amendments to said contract must be made a part of and either added to or attached to the copies in the possession of the parties and a like copy of said amendments sent to the Board where the original contract is filed.
- i) The failure of an owner or trainer to file any such contract or to obtain the approval of the Board therefor may subject such owner or trainer to the revocation or suspension of his license or to such other disciplinary action by the Board as in its judgment may seem proper.

- j) Apprentice Certificate. In place of the traditional apprentice contract referred to above, the stewards in their discretion may

ILLINOIS RACING BOARD

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permit-an-apprentice-jockey-to-ride-in-competitive-races-if-such
apprentice-jockey-holds-a-valid-apprentice-certificate-issued-by-the
Illinois-Racing-Board-or-any-other-racing-jurisdiction-
apprentice-certificate-shall-grant-to-an-apprentice-all-allowances-and
conditions-granted-to-an-apprentice-under-contract-as-provided-in-this
rule.

(Source: Amended at 22 Ill. Reg. 117.6, effective
MAY 1 1998)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Cancellation, Revocation or Suspension of Licenses or Permits
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Numbers Adopted Action
1040.33 New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)] and Section 6-104(a) of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/6-104(a)].
- 5) Effective Date of Amendments: February 26, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 26, 1998
- 9) Notice of Proposal Published in Illinois Register: 21 Ill. Reg. 13285, (October 3, 1997).
- 10) Has JCAR Issued a Statement of Objections to this Rule? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes
- 13) Will this rule replace any Emergency Rule(s) currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and Purpose of Rule: This proposed rulemaking incorporates recently enacted legislation concerning the Graduated Driver's License Program (PA 90-369).
- 16) Information and answers to questions regarding this Adopted Rule should be directed to:

Mark A. Novak
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

The full text of the Adopted Rule begins on the next page.

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section

Court to Forward Licenses and Reports of Convictions

1040.10 Illinois Offense Table

1040.20 Suspension or Revocation for Driving Without a Valid Driver's License

1040.25 2 or More Traffic Offenses Committed within 24 Months by a Person

1040.29 Under the Age of 21 Years

1040.30 3 Or More Traffic Offenses Committed Within 12 Months

1040.31 Operating A Motor Vehicle During a Period of Suspension or Revocation

1040.32 Suspension or Revocation of Driver's Licenses, Permits or

Identification Cards Used Fraudulently

1040.33 Suspension or Revocation of Driver's Licenses/Permits for Fictitious

or Unlawfully Altered Person-with-Disabilities License Plate or

Parking Decal or Device or Fraudulent Person-with-Disabilities

License Plate or Parking Decal or Device

1040.35 Commission of an Offense Requiring Mandatory Revocation or

Discretionary Suspension or Revocation Upon Conviction

1040.36 Suspension for Violation of Restrictions on Driver's License

1040.37 Suspension for Violation of Restrictions on Instruction Permit

1040.38 Commission of a Traffic Offense in Another State

1040.40 Repeated Convictions or Collisions

1040.41 Suspension of Licenses for Curfew Violations

1040.42 Fleeing and Eluding

1040.43 Illegal Transportation

1040.46 Fatal Accident and Personal Injury Suspensions or Revocations

1040.48 Vehicle Emission Suspensions

1040.50 Suspension of License of Commercial Vehicle Driver

1040.52 Driver Remedial Education Course

1040.55 Suspension or Revocation for Driver's License Classification

Violations

1040.60 Release of Information Regarding a Disposition of Court Supervision

1040.65 Offenses Occurring on Military Bases

1040.66 Invalidation of a Restricted Driving Permit

1040.70 Problem Driver Pointer System

1040.80 Cancellation of Driver's License Upon Issuance of a Handicapped

Identification Card

1040.100 Rescissions

1040.101 Reinstatement Fees

1040.102 Bankruptcy for Suspensions, Cancellations, Failure to Pay and

Returned Checks Actions

AUTHORITY: Implementing Chapter 6, Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII]

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NOTICE OF ADOPTED AMENDMENT(S)

and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282, effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16927, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12 Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7802, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 2, 1989; amended at 13 Ill. Reg. 17087, effective October 16, 1989; amended at 13 Ill. Reg. 20127, effective December 8, 1989; amended at 14 Ill. Reg. 2944, effective February 7, 1990; amended at 14 Ill. Reg. 5178, effective April 1, 1990; amended at 14 Ill. Reg. 5560, effective April 13, 1990; amended at 14 Ill. Reg. 18088, effective October 22, 1990; amended at 15 Ill. Reg. 14258, effective September 24, 1991; amended at 17 Ill. Reg. 8512, effective May 27, 1993; amended at 17 Ill. Reg. 9028, effective June 2, 1993; amended at 17 Ill. Reg. 12782, effective July 21, 1993; amended at 18 Ill. Reg. 7447, effective May 3, 1994; amended at 18 Ill. Reg. 10853, effective June 27, 1994; amended at 18 Ill. Reg. 11644, effective July 7, 1994; amended at 18 Ill. Reg. 16443, effective October 24, 1994; amended at 20 Ill. Reg. 2558, effective January 26, 1996; amended at 21 Ill. Reg. 8398, effective June 30, 1997; amended at 21 Ill. Reg. 10985, effective July 29, 1997; amended at 21 Ill. Reg. 12249, effective August 26, 1997; amended at 21 Ill. Reg. 12609, effective August 29, 1997; amended at 22 Ill. Reg. 1438, effective January 1, 1998; amended at 22 Ill. Reg. 183, effective **FEB 26 1998**.

Section 1040.33 Suspension or Revocation of Driver's Licenses/Permits for Fictitious or Unlawfully Altered Person-with-Disabilities License Plate or Parking Decal or Device or Fraudulent Person-with-Disabilities License Plate or Parking Decal or Device

a) For purposes of this Section, the following definitions shall apply:

"Authorized holder" - an individual issued a person-with-disabilities license plate under Section 3-616 of the Illinois Vehicle Code or an individual issued a person-with-disabilities parking decal or device under Section 11-1301.1 of the Illinois Vehicle Code [625 ILCS 5/3-616 and 11-1301.1]

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"Department" - Driver Services Department within the Office of the Secretary of State

"False information" - any incorrect or inaccurate information concerning the name, date of birth, social security number, driver's license number, physician certification or any other information required on the application for a person-with-disabilities license plate or parking permit or device that falsifies the content of the application

"Fictitious person-with-disabilities license plate or parking decal or device" - any person-with-disabilities license plate or parking decal or device that has been issued by the Secretary of State or an authorized unit of local government that was issued based upon false information contained on the required application

"Fraudulent person-with-disabilities license plate or parking decal or device" - any person-with-disabilities license plate or parking decal or device that purports to be an authorized person-with-disabilities license plate or parking decal or device and that has not been issued by the Secretary of State or an authorized unit of local government

"person-with-disabilities license plate or parking decal or device-making implement" - any implement specially designed or primarily used in the manufacture, assembly or authentication of a person-with-disabilities license plate or parking decal or device issued by the Secretary of State or a unit of local government

"Unlawfully altered person-with-disabilities license plate or parking permit or device" - any person-with-disabilities license plate or parking permit or device issued by the Secretary of State or an authorized unit of local government that has been physically altered or changed in such manner that false information appears on the license plate or parking decal or device

b)

The Secretary of State has discretionary authority to suspend or revoke the driving privileges of any person upon receipt of evidence that such person has committed one or more of the following offenses listed in Section 6-206 of the Illinois Vehicle Code [625 ILCS 5/6-206]:

1) If such person has knowingly possessed any fictitious or unlawfully altered person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.5(b)(1) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(1)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code [625 ILCS 5/6-206(a)(35)]:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 2) If such person has knowingly issued or assisted in the issuance of, by the Secretary of State or unit of local government, any fictitious person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.5(b)(2) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(2)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code:

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 3) If such person has knowingly altered any person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.5(b)(3) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(3)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code:

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 4) If such person manufactures, possesses, transfers, or provides any documentation used in the application process whether real or fictitious, for the purpose of obtaining a fictitious person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.5(b)(4) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(4)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 5) If such person knowingly provides any false information to the Secretary of State or a unit of local government in order to obtain a person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.5(b)(5) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(5)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code:

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 6) If such person knowingly transfers a person-with-disabilities license plate or parking decal or device for the purpose of exercising the privileges granted to an authorized holder of a person-with-disabilities license plate or parking decal or device under the Illinois Vehicle Code in the absence of the authorized holder in violation of Section 11-1301.5(b)(6) of the Illinois Vehicle Code [625 ILCS 5/11-1301.5(b)(6)], the Department shall take the following action pursuant to Section 6-206(a)(35) of the Illinois Vehicle Code:

ACTION TABLE

<u>1st Offense</u>	<u>1 month Suspension</u>
<u>2nd Offense</u>	<u>6 months Suspension</u>
<u>3rd or Subsequent Offense</u>	<u>Revocation; or</u>

- 7) If such person has knowingly possessed any fraudulent person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.6(b)(1) of the Illinois Vehicle Code [625 ILCS 5/11-1301.6(b)(1)], the Department shall take the following action pursuant to Section 6-206(a)(36) of the Illinois Vehicle Code [625 ILCS 5/6-206(a)(36)]:

SECRETARY OF STATE

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ACTION TABLE1st Offense2nd Offense3rd or Subsequent Offense

- 8) If such person has knowingly possessed without authority any person-with-disabilities license plate or parking decal or device-making implement in violation of Section 11-1306.6(b)(2) of the Illinois Vehicle Code [625 ILCS 5/11-1301.6(b)(2)], the Department shall take the following action pursuant to Section 6-206(a)(36) of the Illinois Vehicle Code:

ACTION TABLE1st Offense2nd or Subsequent Offense12 months SuspensionRevocation; or

- 9) If such person knowingly duplicates, manufactures, sells or transfers any fraudulent or stolen person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.6(b)(3) of the Illinois Vehicle Code [625 ILCS 5/11-1301.6(b)(3)], the Department shall take the following action pursuant to Section 6-206(a)(36) of the Illinois Vehicle Code:

ACTION TABLE1st Offense2nd or Subsequent Offense12 months SuspensionRevocation; or

- 10) If such person has knowingly assisted in the duplication, manufacture, sales or transfer of any fraudulent or stolen person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.6(b)(4) of the Illinois Vehicle Code [625 ILCS 5/11-1301(b)(4)], the Department shall take the following action pursuant to Section 6-206(a)(36) of the Illinois Vehicle Code:

ACTION TABLE1st Offense2nd or Subsequent Offense12 months SuspensionRevocation; or

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NOTICE OF ADOPTED AMENDMENT(S)

- 11) If such person has advertised or distributes a fraudulent person-with-disabilities license plate or parking decal or device in violation of Section 11-1301.6(b)(5) of the Illinois Vehicle Code [625 ILCS 5/11-1301.6(b)(5)], the Department shall take the following action pursuant to Section 6-206(a)(36) of the Illinois Vehicle Code:

ACTION TABLE1st Offense12 months Suspension2nd or Subsequent OffenseRevocation.

- c) The sources of acceptable proof of the offenses described in subsection (b) above are court documents, Department of Vehicle Services applications, Driver Services facility applications, government entity documents and law enforcement correspondence/reports.

(Source: Added at 22 Ill. Reg. _____ effective

FEB 26 1998)

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Procedures of the Department of State Police Merit Board
- 2) Code Citation: 80 Ill. Adm. Code 150
- 3) Section Numbers: Adopted Action:
150.210 Amendment
- 4) Statutory Authority: [20 ILCS 2610/9]
- 5) Effective Date of Rulemaking: February 26, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: November 19, 1997
- 9) Notice of Proposal Published in Illinois Register: December 5, 1997, 49 Ill. Reg. 15448
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Format changes were made in accordance with the suggestions received from the Administrative Code Unit.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rule change will establish the year 2000 as the target date to increase the education standard to a Bachelor's Degree or Associate's Degree with police experience.
- 16) Information and questions regarding this adopted amendment shall be directed to:

James E. Seiber, Executive Director
3180 Adloff Lane, Suite 100
Springfield, IL 62703
217/786-6240

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE A: MERIT EMPLOYMENT SYSTEMS
CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

PART 150

PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

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APPENDIX A Vision Standards

APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill.

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Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13663, effective October 3, 1996; amended at 20 Ill. Reg. 14640, effective October 25, 1996; amended at 21 Ill. Reg. 14262, effective October 17, 1997; amended at 22 Ill. Reg. 14262, effective February 26, 1998.

FEB 26 1998

SUBPART B: CERTIFICATION FOR APPOINTMENT

Section 150.210 Qualifications

a) The Board shall certify to the Director in writing qualified applicants for appointment as sworn officers to the Department. Qualified applicants shall:

- 1) Be at least 21 years of age. Persons 20 years of age may be certified if they have successfully completed 2 years (60 semester hours, 90 quarter hours) of law enforcement studies at an accredited college or university.
- 2) Have completed, with an average grade of C or better, an Associate in Arts or Associate in Science Degree or equivalent general education course work from an accredited college or university, as certified by the registrar of the college or university. The college or university must be accredited by one of the following associations:

- A) Middle States Association of Colleges and Schools;
- B) North Central Association of Colleges and Schools;
- C) New England Association of Schools and Colleges;
- D) Northwest Association of Schools and Colleges;
- E) Southern Association of Colleges and Schools;
- F) Western Association of Colleges and Colleges.

3) Be a citizen of the United States with no felony convictions.

4) Accept assignment anywhere in the State.

5) Possess a valid driver's license at time of application.

6) Successfully complete mental and physical tests and a background investigation as prescribed by the Board. (See Section 150. Appendix A and B of this Part.)

b) The Board may certify more applicants than there are vacant positions at the time of certification. Such certified applicants shall be eligible for appointment for a period of time designated by the Board. Effective with the year 2000 applicant cycle, which commences in June 1999, qualified applicants shall have completed, with a C average or better from a college or university accredited by one of the above

c)

DEPARTMENT OF STATE POLICE MERIT BOARD

NOTICE OF ADOPTED AMENDMENTS

listed accreditation associations:

- 1) A Bachelor's Degree; or
- 2) An Associate in Arts or Associate in Science Degree or equivalent general education course work and 3 years of continuous full time service at the same police agency as a police officer.

(Source: Amended at 22 Ill. Reg. 1092, effective FEB 26 1998)

STATE BOARD EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Certification
- 2) Code Citation: 23 Ill. Adm. Code 25
- 3) Section Numbers: Emergency Action:
25.65 New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.6
- 5) Effective Date of Amendments: February 27, 1998
- 6) If this emergency is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: February 20, 1998
- 8) Reason for Emergency:
Emergency rulemaking is needed due to a complexity in the legislative drafting. Rules under which the course of study for alternative certification will be approved are required to be developed by the State Board in conjunction with the entity proposing the partnership, as well as in consultation with the State Teacher Certification Board. Further, the agency is charged by law with approving the course of study within thirty days after receipt of a program proposal. The only way to place these steps in sequence and comply with the law's timeline is through emergency rulemaking.

9) A Complete Description of the Subjects and Issues Involved:

This new Section in Part 25 establishes the approval standards for a program leading to alternative certification valid for teaching in the Chicago Public Schools. The program was created by P.A. 89-708, effective in February of 1997, but could not be implemented until now because it relies upon the formation of a partnership with appropriate entities. At its January meeting, the Board recognized the partnership of Northwestern University, the Golden Apple Foundation and the Inner-City Teaching Corps. Since the January meeting, agency staff have been working on the draft rules with representatives of the partnership. The State Teacher Certification Board has also been consulted regarding these rules.

- 10) Are there any proposed amendments to this Part pending? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.
- 12) Information and questions regarding this amendment shall be directed to:

STATE BOARD EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

J. Robert Sampson
Division of Professional Preparation
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
(217) 782-2805

The full text of the emergency amendment begins on the next page:

STATE BOARD EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

SUBCHAPTER b: PERSONNEL

PART 25

CERTIFICATION

SUBPART A: DEFINITIONS

Section

25.10 Definition of Terms Used in This Part

SUBPART B: CERTIFICATES

Section

25.20 State Elementary School Certificate

25.30 State High School Certificate

25.40 State Special Certificate

25.43 Standards for Certification of Special Education Teachers

25.45 Standards for the Standard Special Certificate--Speech and Language Impaired

25.50 General Certificate

25.60 State Special Certificate, Grades 11-12, For Teaching Elective Subjects

25.65 Alternative Certification

EMERGENCY

25.70 State Provisional Vocational Certificate

25.75 Part-time Provisional Certificates

25.80 Early Childhood Certificates

25.90 Transitional Bilingual Certificate and Examination

25.95 Majors, Minors, and Separate Fields for the Illinois High School Certificate

25.99 Endorsing Teaching Certificates

SUBPART C: APPROVING THE TEACHER EDUCATION PROGRAMS OF THE
TEACHER EDUCATION INSTITUTIONS OF THE STATE OF ILLINOIS

Section

25.110 System of Approval: Levels of Approval

25.120 Standards and Criteria for Institutional Recognition and Program Approval

25.130 Procedures for Initial Recognition as a Teacher Education Institution

25.140 Procedures for Approval of New or Modified Teacher Education Programs and Consortia

25.150 The Periodic Review Process

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SUBPART D: SCHOOL SERVICE PERSONNEL

Section
 25.210 Requirements for the Certification of School Social Workers
 25.220 Requirements for the Certification of Guidance Personnel
 25.230 Requirements for the Certification of School Psychologists
 25.240 Standard for School Nurse Endorsement

SUBPART E: REQUIREMENTS FOR THE CERTIFICATION OF
ADMINISTRATIVE AND SUPERVISORY POSITIONS

Section

25.310 Definitions (Repealed)
 25.311 Administrative Certificate
 25.315 Renewal of Administrative Certificate
 25.320 Application for Approval of Program (Repealed)
 25.322 General Supervisory Endorsement
 25.330 Standards and Guide for Approved Programs (Repealed)
 25.333 General Administrative Endorsement
 25.344 Chief School Business Official Endorsement
 25.355 Superintendent

SUBPART F: GENERAL PROVISIONS

Section

25.405 Military Service
 25.410 Revoked Certificates
 25.415 Credit in Junior College
 25.420 Psychology Accepted as Professional Education
 25.425 Individuals Prepared in Out-of-State Institutions
 25.427 Three-Year Limitation
 25.430 Institutional Approval
 25.435 School Service Personnel Certificate--Waiver of Evaluations
 25.437 Equivalency of General Education Requirements
 25.440 Master of Arts NCATE
 25.442 Illinois Teacher Corps Programs
 25.445 College Credit for High School Mathematics and Language Courses
 25.450 Lapsed Certificates
 25.455 Substitute Certificates
 25.460 Provisional Special and Provisional High School Certificates
 25.465 Credit
 25.470 Meaning of Experience on Administrative Certificates
 25.475 Certificates and Permits No Longer Issued
 25.480 Credit for Certification Purposes
 25.485 Provisional Recognition of Institutions
 25.490 Rules for Certification of Persons Who Have Been Convicted of a Crime
 25.493 Part-Time Teaching Interns
 25.495 Approval of Out-of-State Institutions and Programs

STATE BOARD EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

Supervisory Endorsements

25.497

SUBPART G: THE UTILIZATION OF TEACHER AIDES AND
OTHER NONCERTIFIED PERSONNEL

Section

25.510 Teacher Aides
 25.520 Other Noncertificated Personnel
 25.530 Specialized Instruction by Noncertificated Personnel
 25.540 Approved Teacher Aide Programs

SUBPART H: CLINICAL EXPERIENCES

Section

25.610 Definitions
 25.620 Student Teaching
 25.630 Pay for Student Teaching

SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

Section

25.705 Purpose - Severability
 25.710 Definitions
 25.715 Test Validation
 25.717 Test Equivalence
 25.720 Applicability of Testing Requirement
 25.725 Applicability of Scores
 25.728 Use of Basic Skills Test at Time of Entry into Teacher Education
 25.730 Registration
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 25.735 Frequency and Location of Examination
 25.740 Accommodation of Persons with Special Needs
 25.745 Special Test Dates
 25.750 Conditions of Testing
 25.755 Voiding of Scores
 25.760 Passing Score
 25.765 Individual Test Score Reports
 25.770 Rescoring
 25.775 Institution Test Score Reports
 25.780 Fees
 APPENDIX A Statistical Test Equating - Certification Testing System

AUTHORITY: Implementing Article 21 and Section 14C-8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21, 14C-8, and 2-3.6].

SOURCE: Rules and Regulations to Govern the Certification of Teachers adopted September 15, 1977; amended at 4 Ill. Reg. 28, p. 336, effective July 16, 1982;

STATE BOARD EDUCATION

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amended at 7 Ill. Reg. 5429, effective April 11, 1983; codified at 8 Ill. Reg. 1441; amended at 9 Ill. Reg. 1046, effective January 16, 1985; amended at 10 Ill. Reg. 12578, effective July 8, 1986; amended at 10 Ill. Reg. 15044, effective August 28, 1986; amended at 11 Ill. Reg. 12670, effective July 15, 1987; amended at 12 Ill. Reg. 3709, effective February 1, 1988; amended at 12 Ill. Reg. 16022, effective September 23, 1988; amended at 14 Ill. Reg. 1243, effective January 8, 1990; amended at 14 Ill. Reg. 17936, effective October 18, 1990; amended at 15 Ill. Reg. 17048, effective November 13, 1991; amended at 16 Ill. Reg. 18789, effective November 23, 1992; amended at 19 Ill. Reg. 16826, effective December 11, 1995; amended at 21 Ill. Reg. 11536, effective August 1, 1997; emergency amendment at 22 Ill. Reg. _____, effective February 27, 1998, for a maximum of 150 days.

SUBPART B: CERTIFICATES

Section 25.65 Alternative Certification
EMERGENCY

a) Section 21-5b of the School Code [105 ILCS 5/21-5b] provides for the issuance of provisional alternative teaching certificates and standard alternative teaching certificates, valid for teaching in a district located in a city with a population in excess of 500,000 inhabitants, to eligible candidates, as defined in that Section, who successfully complete a program consisting of:

- 1) a course of study approved by the State Board of Education;
- 2) one year's full-time teaching; and
- 3) a comprehensive assessment of the candidate's teaching performance, culminating in a favorable recommendation by the institution of higher education responsible for the course of study.

b) Proposals seeking to establish programs meeting the specifications of subsection (a) of this Section shall be addressed as follows:

State Board of Education
 Alternative Certification Program
 100 North First Street
 Springfield, Illinois 62777-0001

c) Each proposal shall indicate the maximum number of teaching candidates to be served by the proposed program in each of its sessions.

d) Each proposal, simultaneously with State Board of Education staff's review, will be reviewed by the State Teacher Certification Board, which shall provide its recommendation to the State Board of Education so that the State Board of Education may comply with the timeline set forth in Section 21-5b of the School Code.

e) A proposed course of study will be approved by the State Board of Education if the proposal demonstrates how candidates will acquire the knowledge of the content and the skills equivalent to the content and skills contained in the participating institution's program approved pursuant to Section 25.120 of this Part with regard to:

STATE BOARD EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

- 1) educational theory;
- 2) instructional methods; and
- 3) practice teaching.

f) The assessment of the candidate's teaching performance for the year referred to in this Section shall include components that are designed to demonstrate that the candidate is:

- 1) knowledgeable about specific subject matter and strategies for teaching that subject matter to students with differing needs; and
- 2) skilled in managing and monitoring students' learning.

(Source: Emergency rule added at 22 Ill. Reg. 107, effective February 27, 1998, for a maximum of 150 days)

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Charter Schools
- 2) Code Citation: 23 Ill. Adm. Code 650
- 3) Section Numbers:
650.70
Emergency Action:
New Section
- 4) Statutory Authority: 105 ILCS 5/Art. 27A (see P.A. 90-548, effective January 1, 1998).
- 5) Effective Date of Amendments: February 27, 1998
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Not applicable
- 7) Date Filed in Agency's Principal Office: February 20, 1998

8) Reason for Emergency: Enactment of P.A. 90-548 on December 4 has established a new role for the State Board of Education with regard to charter schools. Effective January 1, 1998, the State Board is authorized to consider appeals of local boards' denials and to determine whether a particular school should be chartered, based on whether it would be in the best interests of the students it is designed to serve. The agency has determined that the public interest requires emergency rulemaking, because several charter school appeals are now pending before the State Board under the new provisions of the law. In order to provide timely and substantive consideration to the merits of these and any subsequent appeals, the State Board needs to specify the procedures that will apply and to place those procedures into immediate effect.

9) A Complete Description of the Subjects and Issues Involved: Section 650.70 is being added to spell out the charter schools appeal process that will be used by the State Board of Education, specifically including the opportunity for either or both of the parties to make oral presentations to designees of the State Superintendent before a recommendation to grant or deny an appeal is formulated.

10) Are there any proposed amendments to this Part pending? Yes: proposed amendments to Sections 650.30, 650.40, and 650.60 (identical to other emergency amendments) were published in the Illinois Register on February 13, 1998.

11) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a State mandate.

12) Information and questions regarding this amendment shall be directed to:

Michael J. Hernandez

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

Chief Legal Advisor
Illinois State Board of Education
100 North First Street
Springfield, IL 62777
(217) 782-2223

The full text of the emergency amendments begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

CHAPTER 1: STATE BOARD OF EDUCATION

SUBCHAPTER 0: MISCELLANEOUS

PART 650

CHARTER SCHOOLS

Section

650.10 Definitions

650.20 Purpose

650.30 Submission to State Board of Education

650.40 Review by State Board

650.50 Revision and Renewal of Charters

650.60 Appeal of Local School Board Reports

650.70 Appeal Presentation and Decision

EMERGENCY

AUTHORITY: Implementing and authorized by Article 27A of the School Code [105 ILCS 5/Art. 27A] (see P.A. 89-450, effective April 10, 1996).

SOURCE: Emergency rules adopted at 20 Ill. Reg. 6329, effective April 23, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 8677, effective June 25, 1996, for a maximum of 150 days; new Part adopted at 20 Ill. Reg. 15284, effective November 15, 1996; emergency amendment at 22 Ill. Reg. 1479, effective January 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 3104, effective February 27, 1998, for a maximum of 150 days.

Section 650.70 Appeal Presentation and Decision**EMERGENCY**

a) If a timely appeal is filed, the applicant, charter holder, or school board may request an opportunity to make an oral presentation to staff of the State Board of Education designated by the State Superintendent of Education.

1) An applicant or charter holder shall request an oral presentation in the appeal document submitted under Section 650.60 of this Part.

2) If an applicant or charter holder does not request an oral presentation, the school board may request an oral presentation by mailing a written request to the State Board, with a copy sent to the applicant or charter holder, within 7 days of the postmark date of the appeal.

3) Staff of the State Board of Education will schedule the presentation after giving no less than 7 days' notice to each party.

4) If either party requests an oral presentation, each party shall

STATE BOARD OF EDUCATION

NOTICE OF EMERGENCY AMENDMENTS

be given 45 minutes to make its presentation.

b) Staff of the State Board of Education shall submit a recommendation to the State Superintendent of Education.

1) If the State Superintendent determines that the school or proposal, as a matter of law, does not comply with the Charter Schools Law, he shall issue a final decision to the parties containing his findings and denying the appeal. Otherwise the State Superintendent shall submit his findings and recommendation to the State Board of Education for a final decision.

2) A copy of the final decision shall be sent by certified mail to each party within 60 days after receipt of the appeal, receipt of any additional information requested under Section 650.60(b) of this Part, or the date of an oral presentation pursuant to this Section, whichever occurs last.

(Source: Added by emergency rulemaking at 22 Ill. Reg. effective February 27, 1998, for a maximum of 150 days)

5104

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Peremptory Action:
310. Appendix A, Table T Amended
310. Appendix A, Table U Amended
- 4) Reference to the specific State or Federal Court Order, Federal Rule or Statute which requires this Peremptory Rulemaking: Section 1-5(d) of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)].
- 5) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a.].
- 6) Effective Date: February 26, 1998
- 7) A Complete Description of the Subjects and Issues Involved:

The Illinois Federation of Teachers (AFL-CIO) recently negotiated a three-year contract reflecting a 3% increase per month in the pay rates for each year beginning with the 1997 school year.

In Section 310. Table T HR-010 (Teachers of Deaf, IFT), the salary schedule for the Educators will receive a 3% increase per month, effective August 16, 1997, 1998 and 1999.

Effective the first day of the 1997 school year, the salary schedule is also being adjusted by either \$100 per month or 5% of the monthly salary (whichever is greater) for positions whose job descriptions require the use of sign language, or which require the employee to be bilingual.

In Section 310. Table U HR-010 (Teachers of Deaf, Extracurricular Paid Activities), the extracurricular activities will be increased by 3% beginning with the 1997 school year and each subsequent year of the contract.

Also, the "6-8 Dance/Drama Club Advisor" is being deleted under Classification IV in the Extracurricular Paid Activities.

- 8) Does this rulemaking contain an automatic repeal date? No

- 9) Date Filed in Agency's Principle Office: February 26, 1998

- 10) Is this Rule in compliance with Section 5-50 of the Illinois Administrative Procedure Act. Yes

- 11) Are there any proposed amendments pending to this part? Yes

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Ill. Reg. Citation</u>
310.230	Amendment	21 Ill. Reg. 14648 (November 14, 1997)
310.270	Amendment	21 Ill. Reg. 14648 (November 14, 1997)
310.280	Amendment	21 Ill. Reg. 14648 (November 14, 1997)

- 12) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 13) The name, address and telephone number of the person to whom information and questions concerning this peremptory rule shall be directed to:
Comments should be written and addressed to:

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
Telephone: (217) 782-5601

The full text of the Peremptory Amendment(s) begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1998
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1998
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A

TABLE A	Negotiated Rates of Pay	State of Illinois (Department of Central Management Services - SEIU)
TABLE AA	HR-916 (Department of Natural Resources, Teamsters)	
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU)	
TABLE C	RC-069 (Firefighters, AFSCME) (Repealed)	
TABLE D	HR-001 (Teamsters Local #726)	
TABLE E	RC-020 (Teamsters Local #330)	
TABLE F	RC-019 (Teamsters Local #25)	
TABLE G	RC-045 (Automotive Mechanics, IFPE)	
TABLE H	RC-006 (Corrections Employees, AFSCME)	
TABLE I	RC-009 (Institutional Employees, AFSCME)	
TABLE J	RC-014 (Clerical Employees, AFSCME)	
TABLE K	RC-023 (Registered Nurses, INA)	
TABLE L	RC-008 (Boilermakers)	
TABLE M	RC-110 (Conservation Police Lodge)	
TABLE N	RC-010 (Professional Legal Unit, AFSCME)	
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)	
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)	
TABLE Q	RC-033 (Meat Inspectors, IFPE)	
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)	
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)	
TABLE T	HR-010 (Teachers of Deaf, IFT)	
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)	
TABLE V	CU-500 (Corrections, Meet and Confer Employees)	
TABLE W	RC-062 (Technical Employees, AFSCME)	

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1997
APPENDIX C	Medical Administrator Rates for Fiscal Year 1997
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1998
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1998

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3125, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

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Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

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22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 6119, effective February 26, 1998.

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Section 310.APPENDIX A Negotiated Rates of Pay
Section 310.TABLE T HR-010 (Teachers of Deaf, IFT)

ACADEMIC YEAR SCHEDULE
EFFECTIVE AUGUST 16, 1997

LANE	EDUCATIONAL LEVEL	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
1	BA							
	1(a)	24,707	26,037	27,439	28,834	30,310	31,717	34,792
	1(b)	23,507	24,797	26,132	27,461	28,867	30,207	33,135
2	BA + 8 Hours							
	2(a)	25,448	26,836	28,310	29,780	31,311	32,794	35,927
	2(b)	24,236	25,558	26,962	28,362	29,820	31,232	34,216
3	BA + 16 Hours							
	3(a)	26,123	27,660	29,208	30,734	32,205	33,827	37,090
	3(b)	24,879	26,343	27,817	29,270	30,671	32,216	35,324
4	BA + 24 Hours							
	4(a)	26,856	28,463	30,070	31,667	33,302	34,893	38,286
	4(b)	25,577	27,108	28,638	30,159	31,716	33,231	36,463
5	MA							
	5(a)	27,671	29,288	30,927	32,603	34,296	35,916	39,419
	5(b)	26,353	27,893	29,454	31,050	32,663	34,206	37,542
6	MA + 16 Hours							
	6(a)	28,329	29,960	31,610	33,294	34,998	36,626	40,182
	6(b)	26,980	28,533	30,105	31,709	33,331	34,882	38,269
7	MA + 32 Hours							
	7(a)	29,189	30,824	32,490	34,189	35,906	37,544	41,161
	7(b)	27,799	29,356	30,943	32,561	34,196	35,756	39,201

NOTE: Educators who possess bilingual skills shall be paid off of the (a) range of the lane.
Educators who do not possess bilingual skills shall be paid off of the (b) range of the lane.

ACADEMIC YEAR SCHEDULE
EFFECTIVE AUGUST 16, 1998

LANE	EDUCATIONAL LEVEL						
	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7

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[illegible]

NOTE: Educators who possess bilingual skills shall be paid off of the (a) range of the lane.
Educators who do not possess bilingual skills shall be paid off of the (b) range of the lane.

ACADEMIC YEAR SCHEDULE
EFFECTIVE AUGUST 16, 1999

LANE	EDUCATIONAL LEVEL	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7
1	BA							
	1(a)	26,185	27,622	29,109	30,591	32,156	33,648	36,911
	1(b)	24,938	26,307	27,723	29,134	30,625	32,046	35,153
2	BA + 8 Hours							
	2(a)	26,998	28,471	30,034	31,593	33,218	34,791	38,114
	2(b)	25,712	27,115	28,604	30,089	31,636	33,134	36,299
3	BA + 16 Hours							

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3(a)	27,714	29,344	30,988	32,605	34,166	35,886	39,350
3(b)	26,394	27,947	29,512	31,052	32,539	34,177	37,476
4 BA + 24 Hours							
4(a)	28,491	30,197	31,901	33,596	35,329	37,018	40,618
4(b)	27,134	28,759	30,382	31,996	33,647	35,255	38,684
5 MA							
5(a)	29,356	31,072	32,810	34,588	36,385	38,103	41,819
5(b)	27,958	29,592	31,248	32,941	34,652	36,289	39,828
6 MA + 16 Hours							
6(a)	30,054	31,785	33,535	35,322	37,129	38,856	42,630
6(b)	28,623	30,271	31,938	33,640	35,361	37,006	40,600
7 MA + 32 Hours							
7(a)	30,967	32,701	34,468	36,271	38,093	39,831	43,667
7(b)	29,492	31,144	32,827	34,544	36,279	37,934	41,588

NOTE: Educators who possess bilingual skills shall be paid off of the (a) range of the lane.
Educators who do not possess bilingual skills shall be paid off of the (b) range of the lane.

ACADEMIC-YEAR-SCHEDULE
EFFECTIVE-SEPTEMBER-17-1993

EDUCATIONAL LEVEL	STEP-1	STEP-2	STEP-3	STEP-4	STEP-5	STEP-6	STEP-7
1 BA	24,647	22,848	24,031	25,209	26,454	27,642	30,237
2 BA++0 Hours							
2(a)	23,522	24,767	26,007	27,299	28,550	31,195	
3 BA++16-Hours	22,920	24,210	25,524	26,811	28,054	29,423	32,177
4 BA++24-Hours	23,540	24,895	26,251	27,600	28,980	30,322	33,186
5 MA	24,227	25,592	26,975	28,389	29,819	31,106	34,143
6 MA++16-Hours	24,783	26,150	27,551	28,973	30,411	31,785	34,785
7 MA++32-Hours	25,508	26,888	28,295	29,729	31,177	32,560	35,613

NOTE:--Educators who do not possess bilingual--skills--shall--receive--\$75--per month--less--than--the--appropriate--rate--of--pay--

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ACADEMIC-YEAR-SCHEDULE
EFFECTIVE-SEPTEMBER-17-1994

EDUCATIONAL LEVEL	STEP-1	STEP-2	STEP-3	STEP-4	STEP-5	STEP-6	STEP-7
1 BA	23,296	23,539	24,752	25,965	27,248	28,471	31,144
2 BA++0-Hours	22,996	24,220	25,510	26,787	28,110	29,407	32,131
3 BA++16-Hours	23,608	24,945	26,290	27,615	28,996	30,306	33,142
4 BA++24-Hours	24,246	25,642	27,039	28,420	29,849	31,232	34,102
5 MA	24,954	26,360	27,784	29,241	30,714	32,122	35,167
6 MA++16-Hours	25,526	26,943	28,370	29,842	31,323	32,739	35,829
7 MA++32-Hours	26,273	27,695	29,144	30,261	32,112	33,537	36,681

NOTE:--Educators who do not possess bilingual--skills--shall--receive--\$900--less than--the--rate--of--pay--as--shown--on--the--schedule--

ACADEMIC-YEAR-SCHEDULE
EFFECTIVE-SEPTEMBER-17-1995

EDUCATIONAL LEVEL	STEP-1	STEP-2	STEP-3	STEP-4	STEP-5	STEP-6	STEP-7
1 BA	23,265	24,539	25,826	27,139	28,529	29,853	33,747
2 BA++0-Hours	23,986	25,259	26,647	28,030	29,470	30,866	33,815
3 BA++16-Hours	24,616	26,035	27,491	28,926	30,312	31,839	34,910
4 BA++24-Hours	25,270	26,790	28,303	29,806	31,345	32,842	36,036
5 MA	26,044	27,567	29,109	30,686	32,201	33,806	37,103
6 MA++16-Hours	26,664	28,199	29,752	31,337	32,941	34,474	37,820
7 MA++32-Hours	27,473	29,013	30,581	32,180	33,795	35,330	38,742

NOTE:--Educators who do not possess bilingual--skills--shall--receive--\$1200--or 5% less than the rate of pay as shown on the schedule--

ACADEMIC-YEAR-SCHEDULE
EFFECTIVE-SEPTEMBER-17-1996

EDUCATIONAL

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LANE	LEVEL	STEP-1	STEP-2	STEP-3	STEP-4	STEP-5	STEP-6	STEP-7
1	BA	237963	257279	267640	277994	297427	307793	337779
2	BA--16-Hours	247706	267055	277406	287913	307399	317030	347000
3	BA--16-Hours	257362	267055	287357	297030	317267	327042	367010
4	BA--14-Hours	267074	277634	297194	307745	327332	337076	377171
5	MA	267064	287435	307026	317653	337290	347071	387271
6	MA--16-Hours	277504	297007	307609	327324	337970	357559	397012
7	MA--12-Hours	287330	297926	317544	337194	347060	367451	397962

NOTE:--Educators who do not possess bilingual skills shall receive \$1200--or--5% less than the rate of pay as shown on the schedule.

(Source: Peremptory amendment at 22 Ill. Reg. 1108, effective February 26, 1998)

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Section 310. TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)

	August 16, 1997	August 16, 1998	August 16, 1999
	Mo.	Mo.	Mo.

CLASSIFICATION I

High School Head Coaches:

Basketball - Boys	2342	2412	2484
Basketball - Girls	2342	2412	2484
Football	2342	2412	2484
Volleyball	2342	2412	2484
Wrestling	2342	2412	2484
Junior Class Sponsor	2342	2412	2484
Senior Class Sponsor	2342	2412	2484

CLASSIFICATION II

High School Head Coaches:

Track - Boys	1478	1522	1568
Track - Girls	1478	1522	1568

High School Assistant Coaches:

Basketball - Boys	1478	1522	1568
Basketball - Girls	1478	1522	1568
Football	1478	1522	1568
Volleyball	1478	1522	1568
Wrestling	1478	1522	1568

Junior High School Head Coaches:

7th Grade Basketball - Boys	1478	1522	1568
8th Grade Basketball - Boys	1478	1522	1568
8th Grade Basketball - Girls	1478	1522	1568
8th Grade Basketball - Girls	1478	1522	1568
Track - Boys	1478	1522	1568
Track - Girls	1478	1522	1568
Volleyball	1478	1522	1568
Wrestling	1478	1522	1568

Cheerleader Sponsors:

High School Basketball	1478	1522	1568
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CLASSIFICATION III

High School Assistant Coaches:

Track - Boys	931	959	988
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Track - Girls	931	959	988
Junior High Assistant Coaches:			
Track - Boys	931	959	988
Track - Girls	931	959	988
Volleyball	931	959	988
Wrestling	931	959	988
Football Cheerleading Sponsor	931	959	988
High School Lunchroom Supervisor	931	959	988
High School Yearbook Advisor	931	959	988
Junior High School Cheerleading	931	959	988
Sponsor			
Junior High School Lunchroom Supervisor	931	959	988
CLASSIFICATION IV			
K-5 Dance/Drama Club	707	728	750
G.A.L.S. Advisor	707	728	750
High School NAD/IAD	707	728	750
Advisor			
Junior High School NAD/IAD	707	728	750
Advisor			
Vocation Club Advisor	707	728	750
CLASSIFICATION V			
ABC Reading Advisor	546	562	579
Brownie Leader	546	562	579
Cub Scout Leader	546	562	579
Elementary Sign Class	546	562	579
Girl Scout Leader	546	562	579
Illinois Advance #1 Position	546	562	579
Illinois Advance #2 Position	546	562	579
Illinois Advance #3 Position	546	562	579
Illinois Advance #4 Position	546	562	579
Public Speaking Advisor	546	562	579
Science Club	546	562	579
Special Olympics Coach	546	562	579
Student Council Advisor	546	562	579
SCOREKEEPERS AND TIMERS:	Per Event	Per Event	Per Event
Basketball	33	34	35
Football (Timer only)	33	34	35
Volleyball	28	29	30
Wrestling	33	34	35

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TICKET SELLERS	23	24	25
August-17-1994	August-17-1995	August-17-1996	
Mo-	Mo-	Mo-	
CLASSIFICATION-I			
High-School-Head-Coaches:			
--Basketball---Boys-(1)	2144	2200	2274
--Basketball---Girls-(1)	2144	2200	2274
--Football-(1)	2144	2200	2274
--Volleyball-(1)	2144	2200	2274
--Wrestling-(1)	2144	2200	2274
Junior-Class-Advisor-(2)	2144	2200	2274
Senior-Class-Advisor-(2)	2144	2200	2274
CLASSIFICATION-II			
High-School-Coaches:			
--Track---Boys-(1)	1352	1393	1435
--Track---Girls-(1)	1352	1393	1435
High-School-Assistant-Coaches:			
--Basketball---Boys-(1)	1352	1393	1435
--Basketball---Girls-(1)	1352	1393	1435
--Football-(2)	1352	1393	1435
--Volleyball-(1)	1352	1393	1435
--Wrestling-(1)	1352	1393	1435
Junior-High-Coaches:			
--7th-Grade-Basketball---Boys	1352	1393	1435

--8th-Grade-Basketball---Boys	1352	1393	1435

--7th-Grade-Basketball---Girls	1352	1393	1435

--8th-Grade-Basketball---Girls	1352	1393	1435

--Track---Boys-(1)	1352	1393	1435
--Track---Girls-(1)	1352	1393	1435
--Volleyball-(1)	1352	1393	1435
--Wrestling-(1)	1352	1393	1435
Cheerleader-Sponsors:			
--High-School-Basketball-(2)	1352	1393	1435
CLASSIFICATION-III			

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High-School-Assistant-Coaches-			
--Track--Boys-(1)	852	878	984
--Track--Girls-(1)	852	878	984
Junior-High-Assistant-Coaches-			
--Track--Boys-(1)	852	878	984
--Track--Girls-(1)	852	878	984
--Volleyball-(1)	852	878	984
--Wrestling-(1)	852	878	984
Football-Cheerleading-Sponsor	852	878	984
--(2)			
High-School-Yearbook-Advisor	852	878	984
--(1)			
High-School-Lunchroom-Supervisor	852	878	984
--(2)			
Junior-High-School-Cheerleading	852	878	984
--Sponsor-(2)			
Junior-High-School-Lunchroom	852	878	984
--Supervisor-(1)			
CLASSIFICATION-IV			
K--5-Dance/Drama-Club-Advisor	647	666	686
--(1)			
6--8-Dance/Drama-Club-Advisor	647	666	686
--(1)			
6-A-B-S-Advisor-(2)	647	666	686
High-School-(Jr)-NAB/IAD	647	666	686
--Advisor-(2)			
Junior-High-School-(Jr)-NAB/IAD	647	666	686
--Advisor-(1)			
Vocation-Club-Advisor-(2)	647	666	686
CLASSIFICATION-V			
ABC-Reading-Advisor-(1)	508	515	538
Brownie-Leader-(1)	508	515	538
Club-Scout-Leader-(1)	508	515	538
Elementary-Sign-Clerk-(2)	508	515	538
Girl-Scout-Leader-(1)	508	515	538
Illinois-Advance-#1-Position	508	515	538
--(4)			
Illinois-Advance-#2-Position	508	515	538
--(4)			
Illinois-Advance-#3-Position	508	515	538
--(4)			
Illinois-Advance-#4-Position	508	515	538

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

--(4)			
Public-Speaking-Advisor-(2)	508	515	538
Science-Club-(1)	508	515	538
Special-Olympics-Coach-(1)	508	515	538
Student-Council-Advisor-(1)	508	515	538
SCOREKEEPERS-AND-TIMERS:			
--Basketball	30-per-event	31-per-event	32-per-event
--Football	30-per-event	31-per-event	32-per-event
--Volleyball	25-per-event	26-per-event	27-per-event
--Wrestling	30-per-event	31-per-event	32-per-event
TICKET-SBEBERS			
	20-per-event	21-per-event	22-per-event

(Source: Peremptory amendment at 22 Ill. Reg. _____, effective February 26, 1998)

DEPARTMENT OF INSURANCE

NOTICE OF EXPEDITED CORRECTION

1) Heading of the Part: Preferred Provider Program Administrators

2) Code Citation: 50 Ill. Adm. Code 2051

3) Section Numbers:
2051.Exhibit A

4) Date Proposal published in Illinois Register: July 11, 1997, 21 Ill. Reg. 8766

5) Date Adoption published in Illinois Register: December 19, 1997, 21 Ill. Reg. 16364

6) Date Request for Expedited Correction published in Illinois Register: January 23, 1998, 22 Ill. Reg. 2456

7) Adoption Effective Date: December 9, 1997

8) Correction Effective Date: December 9, 1997

9) Reason for Approval of Expedited Correction: As originally proposed, the amendatory rulemaking changed the registration fee for program Administrators from \$100 to \$250. However, a second reference to the fee, in Exhibit A, inadvertently continued to show the fee as \$100.

Agency Director Date

The full text of the Corrected Rule begins on the following page:

DEPARTMENT OF INSURANCE

NOTICE OF EXPEDITED CORRECTION

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE

PART 2051

PREFERRED PROVIDER PROGRAM ADMINISTRATORS

Section

2051.10 Authority

2051.20 Purpose

2051.30 Definitions

2051.40 Administrators Not to Assume Underwriting Risk

2051.50 Registration

2051.55 Administrator Application Filing Procedures

2051.60 Fees

2051.65 Gatekeeper Option

2051.70 Fiduciary and Bonding Requirements

2051.80 Maintenance of Records

2051.85 Advertising and Solicitation

2051.90 Examination

2051.100 Severability

EXHIBIT A

1 Preferred Provider Program Administrator Registration Form - PPA

EXHIBIT B

EXHIBIT C

Biographical Affidavit

Preferred Provider Program Administrator Bond/Fiduciary Account

Requirement

AUTHORITY: Implementing and authorized by Article XX 1/2 and further authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/770f and 401].

SOURCE: Adopted at 20 Ill. Reg. 9960, effective July 15, 1996; expedited correction at 20 Ill. Reg. 13435, effective July 15, 1996; amended at 21 Ill. Reg. 16364, effective December 9, 1997; expedited correction at 22 Ill. Reg. 5127-4, effective December 9, 1997.

DEPARTMENT OF INSURANCE

NOTICE OF EXPEDITED CORRECTION

Section 2051.EXHIBIT A Preferred Provider Program Administrator Registration Form-PPA 1

Illinois Department of Insurance
320 W. Washington Street
Springfield, IL 62767-0001

Instructions:

Fee Requirement: Attach a check or money order payable to the Director of Insurance for \$250

Name of Firm	Tax #
Business Address (Number, Street)	Phone No.
City	State
Person responsible for submitting application	Zip Code
	Phone No.

The following items must be filed with this registration and are, by reference, made a part of this registration form.

1. A general statement of the services to be offered in Illinois through the administrator's proposed plan of operations, including:
 - (a) the method of marketing the program;
 - (b) a geographic map of the area proposed to be served by the program with marked locations of medical providers;
 - (c) a table showing breakdown of providers by type (i.e. hospital, primary care physician, specialist) by county;
 - (d) a table showing breakdown of providers by type (i.e. hospital, primary care physician, specialist) by zip code;
 - (e) an estimation of the number of beneficiaries projected to be served by the Administrator;
 - (f) the names and addresses of the providers with whom the administrator has entered into agreements (provider directory);
 - (g) a source for the beneficiary to contact regarding changes in the provider directory;
 - (h) an organizational chart describing the relationship between the administrator, its parent organization and any affiliates, including the state of domicile and the primary business of each entity
2. A list of the names, addresses, official positions and biographical affidavits **(form attached)** of the persons responsible for the conduct of the affairs of the administrator.
3. Sample copies of administrative agreements, payor agreements and provider agreements utilized by the administrator. If the terms and conditions in such agreements may vary, the filing of one complete sample agreement together with a description of all variable terms and conditions will satisfy this requirement.
4. A description of the standards by which the administrator assures that the health care services to be rendered under the preferred provider program are reasonably accessible and available to beneficiaries.
5. Copies of the preferred provider program disclosure statements required to be furnished to beneficiaries by 215 ILCS 5/370m, and correlary advertising material
6. A description of programs for utilization review and timely resolution of questions, complaints and grievances
7. Location of the administrative offices of the administrator located in this State and regular business hours during which offices are open.

DEPARTMENT OF INSURANCE

NOTICE OF EXPEDITED CORRECTION

8. A description of provider credentialing standards utilized by the administrator and a statement describing how the administrator intends to comply with 215 ILCS 5/370h.
9. A completed Bond/Fiduciary Account Requirement Form **(form attached)** or a written statement of exemption to this requirement;
10. The name, address and telephone number of the person within the administrator to whom all notices and renewal applications should be directed.

Declaration:

The undersigned declares that the statements made in this application are true, correct and complete to the best of his/her knowledge and belief.

Signature

Date

Print Name and Title

Phone

Important Notice: Under the Illinois Revised Statutes' Insurance Laws, disclosure of this information is **voluntary**; however, failure to comply may result in this form not being processed. This form has been approved by the Forms Management Center.

(Source: Added at 21 Ill. Reg. _____, effective December 9, 1997)

DEPARTMENT OF INSURANCE

NOTICE OF EXPEDITED CORRECTION
(Source: Expedited correction at 22 Ill. Reg. _____, effective December 9, 1997)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302.Subpart F, the following water quality criteria have been derived as listed. This listing includes only the waterbodies for which water quality criteria have been used during the period November 1, 1997 through January 31, 1998.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; and 21 Ill. Reg. 16193, December 12, 1997.

Chemical: Acenaphthene

Acute criterion: 124 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Acetone

Acute criterion: 1,530 mg/l

Date criteria derived: May 25, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acetonitrile

Acute criterion: 375 mg/l

Date criteria derived: December 7, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acrylonitrile

Acute criterion: 910 ug/l

Human health criterion (HNC): 0.21 ug/l

Date criteria derived: November 13, 1991

Applicable waterbodies:

CAS #83-32-9

Chronic criterion: 9.9 ug/l

CAS #67-64-1

Chronic criterion: 122 mg/l

CAS #75-05-8

Chronic criterion: 30 mg/l

CAS #107-13-4

Chronic criterion: 73 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Anthracene

Human health criterion (HHC): 35 mg/l

Date criteria derived: August 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzene

Acute criterion: 5,200 ug/l

Human health criterion (HHC): 21 ug/l

Date criteria derived: August 15, 1990

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)anthracene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)pyrene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(b)fluoranthene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(k)fluoranthene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Carbon tetrachloride

Acute criterion: 3,500 ug/l

Human health criterion (HHC): 1.4 ug/l

Date criteria derived: June 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Chlorobenzene

Acute criterion: 993 ug/l

Date criteria derived: December 11, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Chloroform

Acute criterion: 1,870 ug/l

Human health criterion (HHC): 130 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Chrysene

Human health criterion (HHC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: 1,2-dichlorobenzene

Acute criterion: 210 ug/l

Date criteria derived: December 1, 1993

Applicable waterbodies:

Not used during this period.

Chemical: 1,3-dichlorobenzene

Acute criterion: 500 ug/l

Date criteria derived: July 31, 1991

Applicable waterbodies:

Not used during this period.

Chemical: 1,2-dichloroethane

CAS #56-23-5

Chronic criterion: 280 ug/l

CAS #108-90-7

Chronic criterion: 79 ug/l

CAS #67-66-3

Chronic criterion: 150 ug/l

CAS #218-01-9

CAS #95-50-1

Chronic criterion: 16.8 ug/l

CAS #541-73-1

Chronic criterion: 196 ug/l

CAS #107-06-2

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 24,900 ug/l
Human health criterion (HNC): 23 ug/l
Date criteria derived: March 19, 1992
Applicable waterbodies:
Not used during this period.

Chemical: 1,1-dichloroethylene
Acute criterion: 3,030 ug/l
Human health criterion (HNC): 0.95 ug/l
Date criteria derived: March 20, 1992
Applicable waterbodies:
Not used during this period.

Chemical: 2,4-dichlorophenol
Acute criterion: 631 ug/l
Date criteria derived: November 14, 1991
Applicable waterbodies:
Not used during this period.

Chemical: 1,2-dichloropropane
Acute criterion: 4,800 ug/l
Date criteria derived: December 7, 1993
Applicable waterbodies:
Not used during this period.

Chemical: 1,3-dichloropropylene
Acute criterion: 99 ug/l
Date criteria derived: November 13, 1991
Applicable waterbodies:
Not used during this period.

Chemical: 4,6-dinitro-o-cresol = 2-methyl-4,6-dinitrophenol
CAS #534-52-1
Chronic criterion: 2.3 ug/l
Acute criterion: 28.8 ug/l
Date criteria derived: November 14, 1991
Applicable waterbodies:
Not used during this period.

Chemical: 2,4-dinitrophenol
CAS #51-28-5

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Acute criterion: 85.3 ug/l
Date criteria derived: December 1, 1993
Applicable waterbodies:
Not used during this period.

Chemical: 2,6-dinitrotoluene
Acute criterion: 1,910 ug/l
Date criteria derived: February 14, 1992
Applicable waterbodies:
Not used during this period.

Chemical: Diquat
Acute criterion: 1,330 ug/l
Date criteria derived: January 30, 1996
Applicable waterbodies:
Not used during this period.

Chemical: Ethylbenzene
Acute criterion: 216 ug/l
Date criteria derived: August 15, 1990, revised May 17, 1991
Applicable waterbodies:
05120109-013/off Saline Branch
05120112-007/off Big Run Creek
07120004-007/off Chicago Sanitary and Ship Canal
07120004-490/off Higgins Creek
07130003-018/off Illinois River
07130010-246/off KillJordan Creek

Chemical: Fluoranthene
Human health criterion (HTC): 120 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:
Not used during this period.

Chemical: Hexachlorobenzene
Human health criterion (HNC): 0.00025 ug/l
Date criteria derived: November 15, 1991
Applicable waterbodies:
Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Hexachlorobutadiene CAS #87-68-3
Acute criterion: 34.5 ug/l Chronic criterion: 2.76 ug/l
Date criteria derived: March 23, 1992
Applicable waterbodies:

Not used during this period.

Chemical: Hexachloroethane CAS #67-72-1
Acute criterion: 381 ug/l Chronic criterion: 30.5 ug/l
Human health criterion (HNC): 2.9 ug/l
Date criteria derived: November 15, 1991
Applicable waterbodies:

Not used during this period.

Chemical: Isobutyl alcohol = 2-methyl-1-propanol CAS #78-83-1
Acute criterion: 434 mg/l Chronic criterion: 34.8 mg/l
Date criteria derived: December 1, 1993
Applicable waterbodies:

Not used during this period.

Chemical: Methylene chloride CAS #75-09-2
Acute criterion: 17,200 ug/l Chronic criterion: 1,380 ug/l
Human health criterion (HNC): 340 ug/l
Date criteria derived: January 21, 1992
Applicable waterbodies:

Not used during this period.

Chemical: Methyl ethyl ketone CAS #78-93-3
Acute criterion: 322,000 ug/l Chronic criterion: 26,000 ug/l
Date criteria derived: July 1, 1992
Applicable waterbodies:

Not used during this period.

Chemical: 4-methyl-2-pentanone CAS #108-10-1
Acute criterion: 46 mg/l Chronic criterion: 3.68 mg/l
Date criteria derived: January 13, 1992
Applicable waterbodies:

Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Naphthalene CAS #91-20-3
Acute criterion: 670 ug/l Chronic criterion: 68 ug/l
Date criteria derived: November 7, 1991
Applicable waterbodies:

Not used during this period.

Chemical: 4-nitroaniline CAS #100-01-6
Acute criterion: 1.5 mg/l Chronic criterion: 0.12 mg/l
Date criteria derived: May 5, 1996
Applicable waterbodies:

Not used during this period.

Chemical: Nitrobenzene CAS #98-95-3
Acute criterion: 15.4 mg/l Chronic criterion: 4.67 mg/l
Human health criterion (HTC): 0.52 mg/l
Date criteria derived: February 14, 1992
Applicable waterbodies:

Not used during this period.

Chemical: Pentachlorophenol Chronic criterion: 13 ug/l
Acute criterion: 20 ug/l
Date criteria derived: national criterion, September 1986
Applicable waterbodies:

Not used during this period.

Chemical: Phenanthrene CAS #85-01-8
Acute criterion: 46 ug/l Chronic criterion: 3.7 ug/l
Date criteria derived: October 26, 1992
Applicable waterbodies:

Not used during this period.

Chemical: Pyrene CAS #120-00-0
Human health criterion (HTC): 3,500 ug/l
Date criteria derived: December 22, 1992
Applicable waterbodies:

Not used during this period.

Chemical: Tetrachloroethylene CAS #127-18-4
Acute criterion: 1,220 ug/l Chronic criterion: 152 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: March 23, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Tetrahydrofuran

Acute criterion: 216,000 ug/l

Date criteria derived: March 16, 1992

Applicable waterbodies:

Not used during this period.

Applicable waterbodies:

Not used during this period.

Chemical: Tetrachloroethylene

Acute criterion: 1,220 ug/l

Date criteria derived: March 23, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Tetrahydrofuran

Acute criterion: 216,000 ug/l

Date criteria derived: March 16, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Toluene

Acute criterion: 8,080 ug/l

Date criteria derived: August 16, 1990, revised May 17, 1991 and

January 26, 1993

Applicable waterbodies:

05120109-013/off Saline Branch

05120112-007/off Big Run Creek

07120004-007/off Chicago Sanitary and Ship Canal

07120004-490/off Higgins Creek

07130003-018/off Illinois River

07130010-246/off Kill Jordan Creek

Chemical: 1,2,4-trichlorobenzene

Acute criterion: 353 ug/l

CAS #120-82-1

Chronic criterion: 69.2 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: December 14, 1993

Applicable waterbodies:

Not used during this period.

Chemical: 1,1,1-trichloroethane

Acute criterion: 4,910 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

Not used during this period.

Chemical: 1,1,2-trichloroethane

Acute criterion: 19,000 ug/l

Human health criterion (HNC): 12 ug/l

Date criteria derived: December 13, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Trichloroethylene

Acute criterion: 11,700 ug/l

Date criteria derived: October 23, 1992

Applicable waterbodies:

Not used during this period.

Chemical: Xylenes

Acute criterion: 1,500 ug/l

Date criteria derived: August 23, 1990

Applicable waterbodies:

05120109-013/off Saline Branch

05120112-007/off Big Run Creek

07120004-007/off Chicago Sanitary and Ship Canal

07120004-490/off Higgins Creek

07130003-018/off Illinois River

07130010-246/off Kill Jordan Creek

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher

Illinois Environmental Protection Agency

CAS #79-01-6

Chronic criterion: 940 ug/l

CAS # 1330-20-7

Chronic criterion: 117 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

DEPARTMENT OF PUBLIC AID

JANUARY 1998 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation): Practice in Administrative Hearings
(89 Ill. Adm. Code 104)

- 1) Rulemaking: Revise provisions regarding the right to a trial by jury in contested administrative paternity cases; Limit evidence admissible at hearings; Limit documentation in peer review cases; Deny payments for claims submitted by a provider after receipt of a Notice of Intent to Terminate if the provider is terminated; Change time standard for issuing decisions; Provide administrative law judge discretion concerning recommended decisions; Add provisions requiring motions to be filed a set number of days prior to hearing.

A) Description: The Department will propose amendments to Section 104.207 concerning contested paternity hearings to eliminate provisions allowing the alleged father to demand a trial by jury. This change is necessary because Public Act 90-18 removed the right to a trial by jury from the Illinois Parentage Act of 1984 in compliance with federal requirements under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193.

The Department will propose changes in Section 104.246 to limit evidence offered into evidence at hearing by the vendor in audit cases for the recovery of money if the documentation had not previously been submitted to the Department during the audit or reaudit process without a showing of good cause.

The Department intends to propose a provision to limit documentation in peer review cases if the evidence had been previously requested by the department as part of the peer review process but had not been submitted to the Department without a showing of good cause why it had not been earlier submitted.

The Department also intends to propose rulemaking to allow the Department to hold payments of claims for services performed after the vendor has received a Notice of Intent to Terminate. The rules would provide that, if the vendor is terminated, the Department would deny payments for those services. The denial of these payments would apply even if the payments have been released because 120 days have elapsed.

The Department plans to propose amendments to Section 104.102 to change the time standard for issuing decisions on responsible relative petitions from 60 days to 90 days.

Amendments will be proposed to Section 104.242 giving the administrative law judge discretion to send a recommended decision on motions to dismiss and other dispositive motions to the

DEPARTMENT OF PUBLIC AID

JANUARY 1998 REGULATORY AGENDA

Director at the time the motion is made or at the close of evidence.

The Department will also propose amendments to Sections 104.242 and 104.271 to require that motions for continuances and other motions be filed a set number of days prior to hearing.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-0081

G) Related Rulemakings and Other Pertinent Information: None

b) Part(s) (Heading and Code Citation): Medical Assistance Programs (89 Ill. Adm. Code 120)

1) Rulemaking: Change asset policy as an eligibility requirement for certain MANG community clients; Regarding exempt irrevocable trusts,

DEPARTMENT OF PUBLIC AID

JANUARY 1998 REGULATORY AGENDA

add the provision that if a trust contains proceeds from a personal injury settlement, any Department charge must be satisfied, for the trust to be excluded; Add provisions concerning eligibility for children under age 18 who are terminated from SSI.

A) Description: The Department intends to change the asset policy affecting Medicaid for families with children. The change will result in the disregard of all assets for all such families when determining Medicaid eligibility. Under current rules all assets are disregarded for certain families with children. For other families, only certain specified assets are disregarded.

Regarding exempt irrevocable trusts, the Department intends to add provisions so that if the trust contains proceeds from a personal injury settlement, any Department charge must be satisfied for the trust to be excluded. These changes will affect eligibility for the Medicaid program.

An August 22, 1996, change in federal law contains new disability standards for children under age 18. The Department intends to issue rule changes that will protect Medicaid eligibility for children who do not meet the new SSI disability standards.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

DEPARTMENT OF PUBLIC AID

JANUARY 1998 REGULATORY AGENDA

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-0081

G) Related Rulemakings and Other Pertinent Information: Nonec) Part(s) (Heading and Code Citation): Medical Payment (89 Ill. Adm. Code 140)

1) Rulemaking: Update and clarify cost reporting requirements for long term care facilities; Eliminate provisions for annual resident review; Amend provisions relating to ICF/MR facilities; Clarify coverage of private automobiles as medical transportation; Add provisions to incorporate Illinois State Board of Pharmacy requirements; Clarify the coverage and process by which physicians can dispense drugs; Clarify requirements for documentation regarding drugs returned to the pharmacy; Establish a policy that pharmacies must require a signature at the time a Medicaid prescription is picked up; Clarify the requirements for pharmacists serving Medicaid clients to perform a drug review and to offer patient counseling; Revise the calculation of the upper limit amount for the reimbursement of over-the-counter (OTC) medications and supplies; Continue phased-in implementation of the Recipient Eligibility Verification system; Add provisions on audit responses and readmits; Define prohibited marketing activities and the Department's responsibility for approving marketing plans; Implement a process for the registration, credentialing, rejection, termination and reinstatement of marketing representatives; Implement payment adjustments to FQHCs and RHCs that meet certain criteria; Add provisions to prevent marketing abuse by HMOs in Illinois.

A) Description: The Department plans to review all rules regarding cost reporting and allowable costs for long term care facilities. These rules will be updated and clarified as appropriate. The Department does not plan to implement significant changes in policy.

The Department anticipates rulemaking as a result of Public Law 104-315 which deleted annual resident review as a federal requirement.

As one of the final steps under Public Act 87-996 in the transfer of responsibility for administering programs for persons with developmental disabilities (including Medicaid funded intermediate care facilities (ICF/MR)), from the Department to the Department

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of Mental Health and Developmental Disabilities (DMHDD), DMHDD will adopt its own rules relating to ICF/MR facility services and responsibilities. Rules relating to ICF/MR facilities currently under the Department of Public Aid will be amended accordingly.

Amendments to clarify the coverage of private automobiles as a means of transportation to a medical service are planned by the Department. Current rules do not provide any criteria for enrolling private automobiles as providers of service. The Department will propose that reimbursement for transportation by private automobiles should be limited to continuous services or a chronic medical condition rather than an occasional appointment.

The Department plans to propose changes to the administrative rules to incorporate the Illinois State Board of Pharmacy requirements, for the practice of pharmacy in Illinois. Incorporating these requirements is necessary because the Health Care Financing Administration holds the Department responsible for monitoring compliance for Medicaid recipients. The language for the rules of the Department of Professional Regulation reflects the federal regulations.

Amendments will be proposed concerning a process whereby physicians can dispense some pharmaceutical products. Although the Medical Practice Act allows physicians to dispense take home drugs, the Department has never allowed physicians to be reimbursed for these take home drugs. Until this past year, there were no instances where a physician insisted on a need to be able to dispense drugs. Physicians offer two reasons for the Department to seriously consider this request: (1) many small pharmacies are closing because they cannot compete with the large chain pharmacies, and (2) pharmaceutical companies are beginning to direct marketing efforts toward physician practices. Physicians who have previously avoided dispensing drugs are becoming aware of a new system for simple dispensing. A vending machine type system is now available for physician use.

The Department plans to propose amendments so that every drug returned to a pharmacy by a nursing home must be credited back to the Department unless there is acceptable documentation that the drug was destroyed within 72 hours of being returned. Failure to provide this credit will be possible grounds for termination or other action.

Amendments are planned to establish a policy regarding client signatures at the time of prescription pick up. Pharmacies will be required to maintain a signature log showing the signature of the recipient or the responsible party acting on the recipient's

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behalf who picked up each prescription. The log will not need to be separate from the logs required by other payers but must contain information sufficient to permit the prescription to be identified within the Department's payment files.

The Department also plans to propose amendments regarding the responsibilities of pharmacists to provide drug review and client counseling services. Federal regulations impose specific requirements on pharmacists serving Medicaid eligible individuals regarding the need to perform drug use evaluations and patient counseling concerning each prescription. This includes factors about each prescription such as the name and description of the medication, dosage and manner of administration, duration of therapy, proper storage, refill information, actions to be taken in case of missing doses, any special directions or precautions, and common side effects, interactions and therapeutic contraindications.

Department plans to propose revisions to the rules regarding the calculation of the upper limit amount for the reimbursement of over-the-counter (OTC) medications and supplies as a fiscal year 1999 budget initiative. Adopting a reimbursement methodology for OTC medications that is comparable to that for generic drugs is consistent with the methodology now used by many other payers and by other states' Medicaid programs. The previous methodology which marks up wholesale prices by 50 percent but pays no dispensing fee is outdated.

The Department plans to propose rulemaking under the authority included in Public Act 88-554 to continue the implementation of the Recipient Eligibility Verification System. During the second phase of implementation, the Department plans on replacing the current paper medical identification card known as the Mediplan Card, with the plastic swipe card known as the Illinois LINK card. Further technological enhancements may be incorporated into the REV system conditioned on improved technology and medical provider response to the REV system.

Additionally, the definition of high volume providers will be determined. In accordance with Public Act 88-554, all medical providers defined as "high volume" must participate in the REV Program.

The Department plans to propose rulemaking to amend the current provisions on audits to allow vendors 45 days to respond to the audit findings and provide additional documentation for reaudit, and to provide that only one reaudit will be conducted, and if response is not received, the matter will be referred for

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administrative hearing to recover the amounts sought.

Certain marketing activities are prohibited by State and Federal law. These activities include unsolicited door-to-door or cold call marketing and marketing at Department of Public Aid or Department of Human Services offices. The Department is further required to establish guidelines for approving marketing plans submitted by managed care entities. The guidelines must include the stated prohibitions as well as criteria for offering gifts, favors or inducements to enroll in a managed care plan and registration of individuals engaged in marketing activities and supervisors of such individuals with the Department. The Department will propose a process for the registration, credentialing, rejection, termination and reinstatement of marketing representatives and supervisors.

The Department plans to propose rules to implement the requirements that states make adjustments (at least quarterly) to Federally Qualified Health Centers (FQHCs) and Rural Health Centers (RHCs) that provide services through a Medicaid Managed Care Organization (MCO), and which receives less from the MCO than they would otherwise have received from the Department.

The Department also plans to amend rules regarding marketing practices by HMOs.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]; Section 5-16.10 of the Public Aid Code [305 ILCS 5/5-16.10] and Section 1932 of the Social Security Act (42 U.S.C. 1396v) as amended by the Balanced Budget Act of 1997 (Public Law 105-33); Section 4712 of the Balanced Budget Act of 1997 requiring the implementation of quarterly adjustments to certain FQHCs and RHCs.

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the Illinois Register.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the Illinois Register.

E) Effect on Small Businesses, Small Municipalities, and

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Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-0081

G) Related Rulemakings and Other Pertinent Information: Noned) Part(s) (Heading and Code Citation): Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill. Adm. Code 147)1) Rulemaking: Amend provisions relating to ICF/MR facilities.

A) Description: As one of the final steps under Public Act 87-996 in the transfer of responsibility for administering programs for persons with developmental disabilities (including Medicaid funded intermediate care facilities (ICF/MR)), from the Department to the Department of Mental Health and Developmental Disabilities (DMHDD), DMHDD will adopt its own rules relating to ICF/MR facility services and responsibilities. Rules relating to ICF/MR facilities currently under the Department of Public Aid will be amended accordingly.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted

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for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-For-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62763
(217) 524-0081

G) Related Rulemakings and Other Pertinent Information: Nonee) Part(s) (Heading and Code Citation): Child Support Enforcement (89 Ill. Adm. Code 160)

1) Rulemaking: Change procedures concerning distribution of child support collections; Amend policies for enforcement of child support orders.

A) Description: The Department plans to propose rulemaking to revise its policies on distribution of child support payments in light of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193).

The Department also plans to propose amendments to Section 160.70 to include policies for administrative offset of federal payments, in addition to federal income tax refunds, for enforcement and collection of child support, pursuant to the Debt Collection Improvement Act of 1996 and the President's Executive Order 13019 of September 28, 1996.

B) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

C) Schedule of Meeting or Hearing Dates: The Department has not established a schedule of dates for hearings, meetings, or other opportunities for public participation in this rulemaking. The Department will accept and consider any written comments that may

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be submitted in response to this regulatory agenda. An opportunity for public comment will also be provided following publication of Notices of Proposed Rulemaking in the *Illinois Register*.

D) Date Agency Anticipates First Notice: The Department has not determined when Notices of Proposed Rulemaking will be submitted for publication in the *Illinois Register*.

E) Effect on Small Businesses, Small Municipalities, and Not-for-Profit Corporations: The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider only written comments concerning such effects that may be submitted in response to this regulatory agenda.

F) Agency Contact Person for Information:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
201 South Grand Avenue East, Third Floor
Springfield, IL 62762
Telephone: (217) 524-0081

G) Related Rulemakings and Other Pertinent Information: None

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of February 24, 1998 through March 2, 1998 and have been scheduled for review by the Committee at its March 24, 1998 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
4/9/98	Department of Transportation, Control of Out-Door Advertising Adjacent to Primary and Interstate Highways (92 Ill Adm Code 522)	12/19/97 21 Ill Reg 16316	3/24/98
4/11/98	Department of Central Management Services, Marking, Inventory, Transfer and Disposal of State-Owned Personal Property (44 Ill Adm Code 5010)	11/21/97 21 Ill Reg 14699	3/24/98
4/11/98	Department of Insurance, Health Maintenance Organization (50 Ill Adm Code 5421)	12/1/97 21 Ill Reg 15086	3/24/98
4/12/98	Department of Public Health, Control of Tuberculosis Code (77 Ill Adm Code 696)	6/6/97 21 Ill Reg 6716	3/24/98
4/12/98	Department of Public Health, Emergency Medical Services and Trauma Center Code (77 Ill Adm Code 515)	11/21/97 21 Ill Reg 14817	3/24/98
4/12/98	Department of Human Services, Early Intervention Program (59 Ill Adm Code 121)	6/6/97 21 Ill Reg 6673	3/24/98
4/12/98	Department of Human Services, Minimum Standards for Certification of Developmental Training Programs (59 Ill Adm Code 119)	6/6/97 21 Ill Reg 6680	3/24/98
4/12/98	Department of Human Services, Standards and Licensure Requirements for Community-Integrated Living Arrangements	6/6/97 21 Ill Reg 6695	3/24/98

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

(59 Ill Adm Code 115)			
4/12/98	State Board of Education, Driver Education (23 Ill Adm Code 252)	12/5/97 21 Ill Reg 15296	3/24/98
4/12/98	State Board of Education, Private Business and Vocational Schools (23 Ill Adm Code 451)	12/5/97 21 Ill Reg 15303	3/24/98
4/12/98	Illinois Racing Board, Pari-Mutuels (11 Ill Adm Code 300)	12/26/97 21 Ill Reg 17008	3/24/98
4/12/98	Illinois Racing Board, Programs (11 Ill Adm Code 415)	12/26/97 21 Ill Reg 17011	3/24/98
4/12/98	Illinois Racing Board, Racing Rules (11 Ill Adm Code 1318)	1/9/98 22 Ill Reg 1109	3/24/98

PROCLAMATIONS

98-56

DR. PAUL N. THOMPSON DAY

Whereas, Dr. Paul N. Thompson became president of William Rainey Harper College in Palatine, Illinois, in July 1998; and

Whereas, immediately prior to accepting the presidency of Harper College, Dr. Thompson served for seven years as president of Bellevue Community College in Bellevue, Washington; and

Whereas, Dr. Thompson is the author of two mathematics textbooks, numerous articles for professional journals and has been a frequent speaker at state and national college trustee meetings and educational conferences; and

Whereas, Dr. Thompson is retiring in June 1998 after many years of service and dedication to the citizens of Illinois; and

Whereas, Dr. Thompson is a loving father and husband, with three adult children and two grandchildren;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 13, 1998, as *DR. PAUL N. THOMPSON DAY* in Illinois. Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-57

EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY

Whereas, emergency medical services for children (EMSC) recognizes that children have unique physiological responses to illness and injury; and

Whereas, EMSC promotes a specialized approach to pediatric care; and

Whereas, Illinois' emergency medical services system strives to integrate pediatric emergency care across a wide spectrum, including caring for children with special health care needs; and

Whereas, in Illinois there are more than 155,000 nurses, 31,000 physicians, 21,000 emergency medical technician (EMT)-basics, 700 EMT-intermediates and 7,000 EMT-paramedics and 230 hospitals dedicated to promoting preventive measures and providing prehospital care, outpatient and specialized services, as well as inpatient and rehabilitative care; and

Whereas, Illinois champions the national EMSC commitment to reduce childhood morbidity and mortality associated with severe illness and trauma;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 20, 1998, as *EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY* in Illinois.

Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-58

EMERGENCY MEDICAL SERVICES WEEK

Whereas, emergency medical services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, emergency medical technician (EMTs)-basic, EMT-intermediates, EMT-paramedics, field nurses, emergency communication nurses, trauma nurse specialists, emergency dispatchers and first responders who are dedicated to

saving lives; and

Whereas, in Illinois 60 EMS resource hospitals, 68 trauma centers, more than 21,000 EMT-Bs, 700 EMT-Is and 7,000 EMT-PS selflessly provide 24 hour service to the people of our state; and

Whereas, this year's national theme, "EMS---The Vital Link," underscores the symbolism of the Star of Life insignia on EMS vehicles and illustrates the relationship of all EMS personnel;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim May 17-23, 1998, as **EMERGENCY MEDICAL SERVICES WEEK** in Illinois and commend all individuals involved in emergency medical services.

Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-59

JIM AND JOAN DIDIER DAY

Whereas, Dr. James W. Didier has served as the President of Judson College from 1992 to present; and

Whereas, during Dr. Didier's presidency, Judson College has experienced doubled enrollment, the launch of continuing education (AIM) and architecture programs and the renovation of athletic fields; and

Whereas, Dr. Didier aided in the increased effort to "internationalize" Judson's curriculum through exchange programs and the enrollment of international students from 30 nations, as well as overseeing the development of "signature" academic programs--including the anticipated launching of the World Center for Nutrition Research and the International Center for Ministry to Adolescents; and

Whereas, while serving as Executive Vice-President and Dean of Student Affairs (1967-1992), Dr. Didier coordinated the design and construction of six major campus buildings, developed Judson's Student Services and Student Activities departments, counseled generations of students, served as a psychology and management professor, and served as a consultant to numerous colleges; and

Whereas, Dr. Didier, as University Baptist Chaplain at Michigan State University (1960-1967), organized and directed the Baptist Campus Ministry and served as Director of Christian Higher Education for the Michigan Baptist Convention; and

Whereas, Dr. James Didier was an instructor in Practical Theology at the collegiate division of Northern Baptist Seminary (the predecessor to Judson College) from 1958-59, a church youth director from 1956-58 and operated his own private surveying business from 1956-59; and

Whereas, Mrs. Joan Didier has been an active supporter along side her husband for 31 years at Judson College;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 24, 1998, as **JIM AND JOAN DIDIER DAY** in Illinois and extend warmest congratulations to Dr. Didier for 31 years of service to Judson College.

Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-60

LULAC WEEK

Whereas, the League of United Latin American Citizens, better known as LULAC was founded in Corpus Christi, Texas, in 1929 and is the oldest and largest Hispanic civil rights organization in the country; and

Whereas, since its inception, LULAC has championed the cause of Hispanic Americans in education, employment, economic development and civil rights; and

Whereas, LULAC has developed a comprehensive set of nationwide programs fostering educational attainment, job training, housing, scholarships, citizenship, and voter registration; and

Whereas, LULAC has adopted a legislative platform that promotes humanitarian relief for immigrants, increased educational opportunities for our youth, and equal treatment for all Hispanics in the United States and its territories including the Commonwealth of Puerto Rico; and

Whereas, this year, the League of United Latin American Citizens will celebrate 69 years of community service to increase educational opportunities and improve the quality of life for Hispanic Americans;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 15-21, 1998, as **LULAC WEEK** in Illinois.

Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-61

PROBATION AND COURT SERVICES OFFICER DAY

Whereas, Illinois statutes provide there shall be full-time probation services for all counties to provide a continuum of sanctions to increase sentencing options to the judiciary of the state; and if Whereas, the continuum of sanctions provided by Illinois probation and court services departments for adult and juvenile offenders includes intensive supervision, home confinement, detection, and electronic monitoring among many others; and

Whereas, approximately 100,000 adult and juvenile offenders are currently sentenced to such continuum of sanctions and are receiving active probation supervision; and

Whereas, 2,200 dedicated probation and court services officers supervise these adult and juvenile offenders in Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 22, 1998, as **PROBATION AND COURT SERVICES OFFICER DAY** in Illinois in honor of these dedicated professionals.

Issued by the Governor February 11, 1998.

Filed by the Secretary of State February 20, 1998.

98-62

BRAIN TUMOR AWARENESS WEEK

Whereas, this year marks the 25th Anniversary of the American Brain Tumor Association; and

Whereas, every five minutes, another American is diagnosed with a brain tumor, representing more than 100,000 people in the United States each year; and

Whereas, progress continues because of dedicated researchers, and because of the American Brain Tumor Association's dedication to funding and encouraging such research; and

Whereas, brain tumor patients now have options available to them; and

Whereas, brain tumor patients have hope because of promising new treatments; and

Whereas, there is still much to be done to assure effective treatment for all brain tumor patients; and

Whereas, the American Brain Tumor Association will continue to provide information and objective resource information to brain tumor patients until the need no longer exists; and

Whereas, several Chicago events will occur in March to commemorate the 25th Anniversary including a supplement in the Chicago Sun-Times on March 6; Exhibit at the James R. Thompson Center; Day-long symposium for patients/families on March 28; Evening banquet on March 28 featuring award-winning journalist Bill Kurtis;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 21-28, 1998, as *BRAIN TUMOR AWARENESS WEEK* in Illinois.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-63

DESIGN DRAFTING WEEK

Whereas, established in 1959 as an individual membership society, the American Design Drafting Association (ADDA) is dedicated to serving the professional growth and advancement of the individual working in the design drafting community; and

Whereas, designers and drafters translate ideas into detailed drawings which are used to create a finished product; and

Whereas, the skills of design drafting professionals are vital to the complex process of mass production, the intricate mechanisms of computerized machines and the construction of modern office buildings; and

Whereas, ADDA is the only membership organization dedicated exclusively to the professional designer/drafter in all disciplines including manufacturing, utilities, construction, engineering, government and education; and

Whereas, ADDA is intensely focused on the profession it represents and the enhancement of services our members provide to their employees; and

Whereas, membership in ADDA is open to designers, drafters, instructors, students and managers in industry, government and education; and

Whereas, the ADDA Annual Conference is focused entirely on the needs and interests of the design drafting professional and educator. The program features technical sessions to educate and inform participants;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 8-14, 1998, as *DESIGN DRAFTING WEEK* in Illinois.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-64

ESTONIAN INDEPENDENCE DAY

Whereas, Estonia gained its independence on February 24, 1918; and

Whereas, Estonia's independence lasted into the 1940s, when the former Soviet Union occupied Estonia; and

Whereas, Estonia regained its freedom and became an independent, democratic republic in August of 1991; and

Whereas, Estonian Americans have played a significant role in the progress of Illinois and have proudly shared their culture, heritage and talents with our state; and

Whereas, we are grateful for their significant contributions to the advancement of the arts, sciences, business, medicine, and education to our state and its citizens; and

Whereas, Estonian Americans are exemplary citizens who take pride in the history of freedom and believe in equality and human rights; and

Whereas, in honor of the 80th anniversary of Estonia's independence, the Estonian American community of the Midwest will celebrate with the official ceremony taking place at 2:00 p.m. on Sunday, February 22, 1998, at the Estonian House in Chicago; and

Whereas, this year's special guest will be Mr. Trivimi Velliste, the Ambassador of the Republic of Estonia to the United Nations;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 24, 1998, as *ESTONIAN INDEPENDENCE DAY* in Illinois.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-65

INSPIRATIONAL OLDER WOMEN RECOGNIZED

Whereas, hundreds of Illinois women have been recognized by the State of Illinois since March 1993, when the Illinois Aging Network began participating in the annual observance of "Women's History Month" in honor of female achievement and contributions to society; and

Whereas, Women's History Month activities, coordinated by the Illinois Department of Aging, acknowledge the many and varied volunteer contributions women age 75 or older make to their communities; and

Whereas, those who contribute include long-term care facility residents whose past and present activities demonstrate a lifetime commitment to friends, family, home and community; and

Whereas, older women, whether they live at home or in long-term care facilities, are making a real difference in the lives of the people who share their communities; and

Whereas, these Illinois women are living proof that an active, selfless lifestyle is not necessarily deterred by age or environment; and

Whereas, it is fitting that the State of Illinois continue the practice of honoring older women by observing Women's History Month, which I have proclaimed for March of 1998;

Therefore, I, Jim Edgar, Governor of the State of Illinois, urge all citizens to join in recognizing inspirational older women who are making a difference through volunteerism.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-66

STEVE DAHL DAY

Whereas, Monday, February 23, 1998, will be Steve Dahl's 20th anniversary broadcasting in Chicago; and

Whereas, currently, Steve Dahl is the afternoon talk show host of WCKG FM

in Chicago; and

Whereas, throughout his tenure, the "Steve Dahl Show" has been entertaining and informing Chicagoans, and many feel that they have "grown up" with him; and

Whereas, the listeners, along with Steve Dahl, have gotten married, had children and helped each other through all the trial and tribulations of getting older and raising a family together- through the magic of the airwaves; and

Whereas, although most of the listeners and Steve have never met, they are all connected to their shared experiences; and

Whereas, in the radio industry, it is virtually unheard of for a radio personality to be able to sustain the popularity necessary to keep his job for 20 years;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 23, 1998, as **STEVE DAHL DAY** in Illinois.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-67

WOMEN'S HISTORY MONTH

Whereas, 1998 will mark the 150th Anniversary of the Women's Rights Movement in the United States, a bold and courageous civil rights movement that began in 1848 in Seneca Falls, New York, at the first Women's Rights Convention ever held; and

Whereas, the Declaration of Sentiments issued by that Convention represents a work as fundamental to our nation's commitment to liberty and personal freedom as does our Declaration of Independence; and

Whereas, that declaration launched a movement that has changed this nation and the hopes of women irrevocably; and

Whereas, the resulting Women's Rights Movement has had a profound and undeniable impact on all aspects of American life, and has opened new and well-deserved opportunities for women in all fields of endeavor, including among others commerce, athletics, business, education, religion, the arts and scientific exploration; and

Whereas, the full history of this century-and-a-half of efforts now spanning seven generations of unceasing work to achieve equality for fully half the American population still, regrettably, remains unknown and unrecognized by our nation's citizens; and

Whereas, the girls and boys of today, together, have lives far richer and far fairer as a direct result of the Women's Rights Movement, yet they have scant opportunity to know the heroes and lessons of this vital movement through the textbooks of most classrooms; and

Whereas, the 21st century will find an ever-increasing need for both women and men to share in the fundamental responsibilities for our national life and the blessings that must result from full and equal participation in society; and

Whereas, there still remain substantial barriers to the full equality of America's women before our freedom as a Nation can be called complete; and

Whereas, the 150th anniversary of the Women's Rights Movement will be celebrated in 1998 under the national theme, "Living the Legacy: Women's Rights Movement 1848-1998;"

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 1998 as **WOMEN'S HISTORY MONTH** in Illinois.

Issued by the Governor February 13, 1998.

Filed by the Secretary of State February 20, 1998.

98-68

CHILD AND YOUTH CARE WORKERS WEEK

Whereas, professional child and youth care workers provide, directly or indirectly, for the nurturance, treatment and support of children and youth in treatment centers, hospitals, institutions, day care programs, community centers, schools and homes; and

Whereas, they are dedicated to taking an active, responsible role in meeting the regular and special needs of the children they care for; and

Whereas, in Illinois, the more than 5,000 child and youth care workers contribute not only to the well-being of their charges, but to the economy and welfare of the entire State of Illinois;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 1-7, 1998, as **CHILD AND YOUTH CARE WORKERS WEEK** in Illinois.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

98-69

ENGINEERS WEEK

Whereas, the engineering community of this state has provided a wealth of innovation in the fields of agriculture, industry, transportation, construction, and education; and

Whereas, increasingly, we must depend upon these professional men and women to find technological solutions to the problems we will face in the future;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 22-28, 1998, as **ENGINEERS WEEK** in Illinois in conjunction with the national observance and in recognition of the indispensable contributions engineers have made in the past and will continue to make in the future.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

98-70

LIBERTYVILLE WOMAN'S CLUB DAY

Whereas, on March 4, 1998, the Libertyville Woman's Club will be celebrating its 95th anniversary; and

Whereas, the Libertyville Woman's Club has served the community and has provided the membership with intellectual and social opportunities since 1903; and

Whereas, the efforts of the Libertyville Woman's Club toward improving the community, the State of Illinois, and the country through service and contributions have been invaluable;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 4, 1998, as **LIBERTYVILLE WOMAN'S CLUB DAY** in Illinois.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

89-71

PUBLIC HEALTH WEEK

Whereas, the improvement in the quality of life and health of our citizens depends on programs and services that emphasize the prevention of disease, disability and dependence; and

Whereas, April 6-12 has been designated as National Public Health Week by the American Public Health Association and other distinguished state and national organizations; and

Whereas, the Illinois Public Health Association, together with many other state organizations, has dedicated the first full week of April to showcase public health accomplishments and to hold special events; and

Whereas, all observances during the first full week of April will be used as a means to improve understanding about and appreciation for the essential role that public health and population-based programs have in the health care system; and

Whereas, the observation is a cooperative effort of the state and local health departments, academic institutions, allied organizations, community groups, and professional and trade associations which have joined together to promote a common interest in public health and a population-focused, community prevention approach to better health care; and

Whereas, the Illinois Public Health Association is a voluntary professional society whose members strive to protect and promote personal, community and environmental health through organized activities in the areas of education, research and health policy development;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 6-12, 1998, as **PUBLIC HEALTH WEEK** in Illinois.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

89-72

RAY ALVAREZ DAY

Whereas, Mr. Ray Alvarez began his career with Honeywell in 1968 as an accountant; and

Whereas, after 30 years of service, Mr. Alvarez will be retiring in 1998 as Vice President and Group Executive for Honeywell's Sensing and Control Strategic Business Unit; and

Whereas, his experience, knowledge, and dedication to excellence over the past 30 years has helped Honeywell become the recognized leader in its chosen markets; and

Whereas, the contributions that Mr. Alvarez has made to his company and his community have been invaluable;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 23, 1998, as **RAY ALVAREZ DAY** in Illinois.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

98-73

STUDENT COUNCIL WEEK

Whereas, student councils across our state encourage students to take on a leadership role among their peers and help them develop skills to prepare for future success; and

Whereas, extra-curricular activities such as student council allow students to maintain an adequate balance between academics and out-of-classroom experiences; and

Whereas, many leaders within our state and nation can trace their roots back to student council throughout their schooling; and

Whereas, the Illinois Association of Student Councils (IASC), working to maintain the integrity of student councils across our state, is holding a convention April 30-May 2, 1998; and

Whereas, this convention allows student leaders from across the State of Illinois to exchange ideas and experience leadership training; and

Whereas, students leaders, in addition to the IASC, should be commended for their continued hard work and efforts;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 27-May 2, 1998, as **STUDENT COUNCIL WEEK** in Illinois.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

89-74

VETERINARY MEDICAL EDUCATION WEEK

Whereas, activities of the veterinary medical profession benefit every person in the state, directly or indirectly; and

Whereas, veterinarians serve citizens not only by providing care to companion animals and livestock but also through work in medical research, food safety, and many other areas; and

Whereas, Veterinary Medical Education Week is sponsored each year by the University of Illinois student chapter of the American Veterinary Medical Association. This year it begins March 28 and culminates on April 4 with an open house at the College of Veterinary Medicine on the Urbana-Champaign campus;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 28 - April 4, 1998, as **VETERINARY MEDICAL EDUCATION WEEK** in Illinois and urge all Illinoisans to learn more about veterinary education, research, and service and how they contribute to our health and welfare.

Issued by the Governor February 17, 1998.

Filed by the Secretary of State February 20, 1998.

98-75

ILLINOIS EASTER SEAL SOCIETY DENIM WEEK

Whereas, since 1947 the Illinois Easter Seals Society has served the Sangamon County area as well as 44 other Illinois counties; and

Whereas, the Illinois Easter Seals Society is a charitable organization helping children and adults with disabilities gain maximum independence; and

Whereas, last year in Springfield more than \$9,000 was raised in donations and contributors ranged from grade school children to corporate businesses; and

Whereas, this year all donations will stay in the communities where the money is raised and will fund programs and services which benefit children and adults with disabilities;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 9-13, 1998, as *ILLINOIS EASTER SEAL SOCIETY DENIM WEEK* in Illinois.

Issued by the Governor February 18, 1998.

Filed by the Secretary of State February 20, 1998.

98-76

ILLINOIS HOSPITAL & HEALTHSYSTEM ASSOCIATION WEEK

Whereas, the Illinois Hospital & Health Systems Association (IHHA) is celebrating its 75th anniversary during 1998; and

Whereas, IHHA represents more than 200 hospitals and health systems in Illinois; and

Whereas, IHHA serves and supports the state's hospitals and health systems as they provide vital, high-quality health care services to their patients and communities; and

Whereas, IHHA develops and advocates responsible health care policies that support access to care, patient rights, provider accountability, improved community health status and assurance of quality; and

Whereas, IHHA works closely and cooperatively with the state legislature, state government departments, regulatory agencies and health provider organizations in order to protect and improve public health;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 19-23, 1998, as *ILLINOIS HOSPITAL & HEALTHSYSTEM ASSOCIATION WEEK* in Illinois and congratulate IHHA on its 75 years of service.

Issued by the Governor February 18, 1998.

Filed by the Secretary of State February 20, 1998.

98-77

JASPER COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY

Whereas, the Jasper County Soil and Water Conservation District was formed in 1948 under the leadership of Russ E. Apple and Alfred Tate; and

Whereas, the District works to protect natural resources through a variety of soil conservation and water quality protection programs; and

Whereas, District staff provide landowners with information and technical assistance to prevent and correct natural resource-related problems; and

Whereas, the District assists farmers in developing conservation plans designed to prevent soil loss, reduce nutrient runoff from fields, manage animal waste and otherwise operate in an environmentally sound manner; and

Whereas, the District plays an important role in helping landowners determine eligibility for state and federal programs that promote sound management practices; and

Whereas, the District helps conduct an annual, statewide soil conservation survey to track progress toward the goal of achieving tolerable soil loss on Illinois cropland by the year 2000; and

Whereas, the leadership of the Jasper County Soil and Water Conservation District and voluntary efforts of District landowners have brought more than 60 percent of Jasper County cropland below the tolerable soil loss benchmark; and

Whereas, the District has been a leader in organizing pooled orders for fish and trees, thereby providing an economical way for landowners to stock ponds, plant windbreaks and develop wooded areas; and

Whereas, the District helps promote sound stewardship among youths by

giving each grade school student in the county a tree on Arbor Day;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 23, 1998, as *JASPER COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY* in Illinois honoring the 50th Anniversary of the District.

Issued by the Governor February 18, 1998.

Filed by the Secretary of State February 20, 1998.

98-78

UNION COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY

Whereas, the Union County Soil and Water Conservation District was formed in 1947 and will be holding its 50th annual meeting in 1998; and

Whereas, the District works to protect natural resources through a variety of soil conservation and water quality protection programs; and

Whereas, District staff provide landowners with information and technical assistance to prevent and correct natural resource-related problems; and

Whereas, the District assists farmers in developing conservation plans designed to prevent soil loss, reduce nutrient runoff from fields, manage animal waste and otherwise operate in an environmentally sound manner; and

Whereas, the District plays an important role in helping landowners determine eligibility for state and federal programs that promote sound management practices; and

Whereas, the District helps conduct an annual, statewide soil conservation survey to track progress toward the goal of achieving tolerable soil loss on Illinois cropland by the year 2000; and

Whereas, the leadership of the Union County Soil and Water Conservation District and voluntary efforts of District landowners have brought more than 70 percent of Union County cropland below the tolerable soil loss benchmark; and

Whereas, both urban and rural residents benefit from the District's efforts to prevent flooding, safeguard water supplies, enhance wildlife habitat and encourage farming practices that help ensure an uninterrupted, inexpensive and safe food supply;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 25, 1998, as *UNION COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY* in Illinois.

Issued by the Governor February 18, 1998.

Filed by the Secretary of State February 20, 1998.

98-79

GUERRERO WEEK

Whereas, the Honorable Angel Rivero, Governor of the State of Guerrero, Mexico, is visiting Illinois to participate in a series of cultural and social events organized by the Mexican community from Guerrero; and

Whereas, the State of Guerrero has one of the most beautiful landscapes in the world including the famous resort city of Acapulco; and

Whereas, the Illinois Mexican community from the State of Guerrero is estimated to be more than 150,000; and

Whereas, Illinois and Mexico are important trading partners; and

Whereas, Illinois' Mexican community has contributed greatly to the economic vitality and cultural diversity of our state;

Therefore, I, Jim Edgar, Governor of State of Illinois proclaim February

20-24, 1998, as *GUERRERO WEEK* in Illinois and encourage all Illinoisans to recognize the beauty of the state.

Issued by the Governor February 19, 1998.

Filed by the Secretary of State February 27, 1998.

98-80

TRIO DAY

Whereas, an estimated 500 or more high school and college students from the Chicagoland area and surrounding suburbs are expected to participate in the National *TRIO* Day celebration at Chicago State University; and

Whereas, the celebration will begin at 9:00 a.m. at Chicago State University, 9501 South King Drive in the Robinson University Center, and conclude with an open mike poetry reception hosted by WGCI Chicago radio personality *KWESI*; and

Whereas, *TRIO* programs are educational opportunity programs that help low-income, disadvantaged students to enter and graduate from college; and Whereas, the program was established by Congress in 1965 and is funded under Title IV of the Higher Education Act; and

Whereas, *TRIO* programs are designed to identify promising students (*TALENT SEARCH*), prepare them to do college level work (*UPWARD BOUND*), provide information on academic and financial aid opportunities (*EDUCATIONAL OPPORTUNITY CENTERS*) and provide tutoring and support services to students once they reach campus (*STUDENT SUPPORT SERVICES*); and

Whereas, Chicago State University currently has three *TRIO* programs Project *FAME/Upward Bound*, Student Support Services, and Educational Opportunity Center (*EOC*) to service its students; and

Whereas, currently, over 1,900 projects are hosted at some 1,000 post-secondary institutions and more than 100 community agencies;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 28, 1998, as *TRIO DAY* in Illinois.

Issued by the Governor February 19, 1998.

Filed by the Secretary of State February 27, 1998.

98-81

WASHINGTON COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY

Whereas, the Washington County Soil and Water Conservation District holds its 50th annual meeting in 1998; and

Whereas, the District was formed in 1947 through the efforts of Arnold Rowland, Oren Hertz, Alfred Tate and other early supporters, including Wilbur Smith, Kenneth Frieman, J.W. Huegely, J.K. Williamson, Charles Huegely and Eugene Steely; and

Whereas, the District works to protect natural resources through a variety of soil conservation and water quality protection programs; and

Whereas, District staff provide landowners with information and technical assistance to prevent and correct natural resource-related problems; and

Whereas, the District assists farmers in developing conservation plans designed to prevent soil loss, reduce nutrient runoff from fields, manage animal waste and otherwise operate in an environmentally sound manner; and

Whereas, the District plays an important role in helping landowners determine eligibility for state and federal programs that promote sound

management practices; and

Whereas, the District helps conduct an annual, statewide soil conservation survey to track progress toward the goal of achieving tolerable soil loss on Illinois cropland by the year 2000; and

Whereas, the leadership of the Washington County Soil and Water Conservation District and voluntary efforts of district landowners have brought more than 60 percent of Washington County cropland below the tolerable soil loss benchmark; and

Whereas, the District has sponsored numerous conservation education activities for both youths and adults, helping promote a strong natural resource protection ethic within the District;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 28, 1998, as *WASHINGTON COUNTY SOIL AND WATER CONSERVATION DISTRICT DAY* in Illinois.

Issued by the Governor February 19, 1998.

Filed by the Secretary of State February 27, 1998.

98-82

WILLIAM S. KATZ DAY

Whereas, Illinois, home of the largest futures and options exchanges in the world, is the center of the worldwide futures and options industry, which has contributed to the economic vitality of the State of Illinois; and

Whereas, William S. Katz has been a much valued member of the Chicago Mercantile Exchange, one of the largest futures and options exchanges in the world; and

Whereas, William S. Katz was the second of three generations of his family to hold Exchange memberships, beginning just 10 years after the old Butter and Egg Board became the Chicago Mercantile Exchange; and

Whereas, William S. Katz has twice served as chairman of the Board of Directors of the Chicago Mercantile Exchange, in 1959 and again from 1961 to 1963, and as its treasurer in 1954 and secretary in 1958; and

Whereas, the State of Illinois is honored to join family, friends and colleagues in celebrating the 90th birthday of William S. Katz and commemorating his 69th anniversary of membership on the Chicago Mercantile Exchange, which he has held since his 21st birthday;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 26, 1998, as *WILLIAM S. KATZ DAY* in Illinois.

Issued by the Governor February 19, 1998.

Filed by the Secretary of State February 27, 1998.

98-83

CHICAGO BUSINESS OPPORTUNITY DAYS

Whereas, the 31st Annual Chicago Business Opportunity Fair, which is of special interest to Chicago-based businesses, will be held April 8-9, 1998; and

Whereas, the fair will provide minority suppliers and purchasing personnel from major buying organizations the opportunity to meet and exchange information about mutual buying and selling needs; and

Whereas, William G. Lowrie, president of Amoco Corporation, will serve as chairperson of the fair's Sponsors Committee; and

Whereas, the 31st Annual Chicago Business Opportunity Fair assists in advancing the year-round efforts of the Chicago Minority Business Development Council, Inc., and organization devoted to stimulating minority purchasing in Chicago and the sponsor of the fair; and

Whereas, the Minority Business Committee of the Chicago Minority Business Development Council will hold its 20th Annual Awards Program and Celebration on April 8, 1998, in honor of public and private sector representatives for their contributions to minority suppliers' growth and development;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 8-9, 1998, as **CHICAGO BUSINESS OPPORTUNITY DAYS** in Illinois.

Issued by the Governor February 20, 1998.

Filed by the Secretary of State February 27, 1998.

98-84

COSMETOLOGY MONTH

Whereas, Cosmetology Month will be observed in Illinois and across the country during April 1998 by the members of the National Cosmetology Association; and

Whereas, the activities of the National Cosmetology Association benefit community charities and enhance the appearance of our nation's greatest wealth, its people; and

Whereas, the best interest of the people will always receive the first consideration in the conduct of this association; and

Whereas, the association continues to maintain the highest professional skill through attendance and study of professional educational programs, and through the latest scientific developments, techniques and products which are beneficial for the best interests of the people; and

Whereas, the theme of 1998 National Cosmetology Month, "Show Your Heart for MDA", promotes self worth and personal development;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim April 1998 as **COSMETOLOGY MONTH** in Illinois.

Issued by the Governor February 20, 1998.

Filed by the Secretary of State February 27, 1998.

98-85

MONEY TRANSMITTER REGULATORS ASSOCIATION WEEK

Whereas, the Money Transmitter Regulators Association is an organization dedicated to enhancing the ability of state regulatory authorities to protect the interests of consumers and to maintain public confidence in the money transmitter industry; and

Whereas, state regulators comprising the membership of the Money Transmitter Regulators Association take the lead in monitoring the soundness and adherence of consumer protection statutes; and

Whereas, the Money Transmitter Regulators Association works to ensure effective and efficient regulation of the industry through exchanging industry information among members, instituting cooperative examination and reporting programs, developing consistent state statutory guidelines and fostering awareness of trends and changes within the money transmitter industry; and

Whereas, by providing a unified approach to the supervision of money transmitters, the association is striving to cultivate an environment where

those who attempt to use transmitters for illegal purposes are discovered, unscrupulous operators are removed and legitimate commerce flourishes without unreasonable regulatory burden; and

Whereas, the City of Chicago and the State of Illinois have been selected to serve as the hosts for the 1998 Annual Conference of the Money Transmitter Regulators Association charged with the responsibility of providing an atmosphere conducive to the success of the conference;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 28-July 4, 1998, as **MONEY TRANSMITTER REGULATORS ASSOCIATION WEEK** in Illinois recognizing the high standards of service promoted by the association and its members, officers and examiners.

Issued by the Governor February 20, 1998.

Filed by the Secretary of State February 27, 1998.

98-86

NAVY SEABEE DAY

Whereas, on March 5, 1998, the Great Lakes Naval Training Center and the Naval Construction Battalion Unit-401 are celebrating together the 56th Anniversary of the forming of the Navy Seabees; and

Whereas, the mottoes of the Navy Seabees, the construction men and women of the United States Navy, are: "Can-Do"; "With Compassion for Others, We Build - We Fight, For Peace with Freedom"; and "The Difficult We Do Immediately - The Impossible Takes a Bit Longer"; and

Whereas, this year's Seabee Birthday Ball will be held, for the 29th consecutive year, at Great Lakes Naval Training Center on March 20, 1998;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 20, 1998, as **NAVY SEABEE DAY** in Illinois.

Issued by the Governor February 20, 1998.

Filed by the Secretary of State February 27, 1998.

98-87

ROBERT E. "BOB" BURKE DAY

Whereas, Robert E. "Bob" Burke is the Chief Examiner of the Life, Accident & Health, Financial Examination Section of the Illinois Department of Insurance; and

Whereas, Bob graduated from De LaSalle High School and attended Daley College and DePaul University; and

Whereas, Bob has served in many service organizations such as the Society of Financial Examiners, National Association of Managed Care Regulators and the Illinois Chapter of the Society of Financial Examiners; and

Whereas, in addition to his love for golf, Bob's special interests include involvement in Cub Scouts, Little League and 16" Softball; and

Whereas, Bob and his wife, Bernadine are the proud parents of one son, Robert II, and three daughters, Lisa Marie, Lynn and Christine, and three granddaughters, Christina Eileen, Maria Therese and Jocelyn Elizabeth; and

Whereas, Bob has been employed with the Illinois Department of Insurance for 34 years; and

Whereas, Bob will be retiring from the Illinois Department of Insurance on February 28, 1998;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim

February 28, 1998, as **ROBERT E. "BOB" BURKE DAY** in Illinois and congratulate him on his retirement from the Illinois Department of Insurance.

Issued by the Governor February 20, 1998.

Filed by the Secretary of State February 27, 1998.

98-88

FLOYD KALBER DAY

Whereas, ABC7 Chicago veteran news anchor Floyd Kalber will be honored by friends, family and co-workers at a party on Thursday, February 26, celebrating his career as he retires after 49 years in television broadcasting; and

Whereas, Floyd Kalber's last broadcast as 6:00 p.m. news anchor will be Friday, February 27, 1998, although he will continue to serve as a special contributing analyst for ABC7 Chicago through February 2000, culminating in his 51st year in television broadcasting; and

Whereas, Floyd and Betty Kalber have been married for 50 years, and have raised two children and six grandchildren; and

Whereas, Floyd is looking forward to having more time to spend on the golf course; and

Whereas, Kalber began his television career at KMTV in Omaha, Nebraska, in 1949; and

Whereas, through his long career, news legend Floyd Kalber has worked with other notable newsmen such as Chet Huntley, David Brinkley, John Chancellor, Barbara Walters and Walter Cronkite, and also served as news anchor for NBC's "Today Show" with Jane Pauley and Tom Brokaw from 1976 to 1979; and

Whereas, Floyd Kalber joined ABC7 Chicago in 1984 as news anchor for the 6:00 p.m. news, which became the No. 1 newscast at 6:00 p.m. within a year of Kalber's arrival, and has remained number one to this day; and

Whereas, Kalber has been honored with five Emmy Awards over the course of his career, and in 1993 was awarded the Silver Circle Award by the Chicago Chapter of the National Academy of Television Arts and Sciences, which recognizes outstanding individuals who have devoted 25 years or more to the television industry;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim February 26, 1998, as **FLOYD KALBER DAY** in Illinois.

Issued by the Governor February 23, 1998.

Filed by the Secretary of State February 27, 1998.

98-89

CASIMIR PULASKI DAY

Whereas, Polish war hero Casimir Pulaski fought and died valiantly and help colonial America win its battle for independence during the Revolutionary War; and

Whereas, born in Poland on March 2, 1747, Casimir Pulaski symbolizes the courage, patriotism and determination of Polish Americans and Slavic Americans who have worked and fought to help make our country great; and

Whereas, this individual was willing to make the supreme sacrifice through his death in battle while defending our nation and it is fitting that we in Illinois set aside the first Monday of each March to honor him, as early Illinois settlers honored him by naming Pulaski County in Southern Illinois and Mt. Pulaski in Central Illinois; and

Whereas, many observances are being held in honor of Casimir Pulaski, including celebrations at the Polish Museum in America, Truman College, City of Fairview Heights and the banquet sponsored by the Polish American Congress Illinois Division;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 2, 1998, as **CASIMIR PULASKI DAY** in Illinois.

Issued by the Governor February 24, 1998.

Filed by the Secretary of State February 27, 1998.

98-90

TIBETAN AWARENESS DAY

Whereas, Illinois has been chosen as a primary site for the U.S. Tibetan Resettlement Project. The project will help Tibetans resettle to Illinois and preserve Tibet's historical and cultural heritage; and

Whereas, on March 10, 1998, Tibetans throughout the world will gather to commemorate the 39th anniversary of the struggle for freedom and independence of their country; and

Whereas, in 1989, his Holiness the fourteenth Dalai Lama, leader of the Tibetan people, was awarded the Nobel Peace Prize for his continued efforts toward a peaceful resolution to the occupation of Tibet; and

Whereas, the resolve of the Tibetan people to preserve their culture and human rights is an inspiration to all who cherish liberty;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim March 10, 1998, as **TIBETAN AWARENESS DAY** in Illinois.

Issued by the Governor February 24, 1998.

Filed by the Secretary of State February 27, 1998.

Rules acted upon during the quarter of January 1 through March 31, 1998 (Issues 1-13) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or mailto:ccgate.sos.state.il.us (Internet address).

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62-240-1
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68-1455-8
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77-672-6
77-870-5
83-416-4
83-506-4
86-516-1
86-517-6
86-3000-1
89-112-10
89-120-2
89-121-3
89-679-4

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